

## SECTION 1 – MAJOR APPLICATIONS

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Item: 1/01

**TESCO SUPERMARKET, STATION P/0832/11  
ROAD, HARROW, HA1 2TU**

WARD: GREENHILL

TWO STOREY EXTENSION TO FRONT SIDE AND REAR OF STORE; DECKED CAR PARK AT FIRST FLOOR LEVEL OVER EXISTING CAR PARK; NEW FOUR STOREY BUILDING TO PROVIDE FOUR MIXED USE UNITS OF RETAIL/FINANCIAL AND PROFESSIONAL SERVICES/ FOOD & DRINK USES (CLASS A1/A2/A3) AT GROUND FLOOR AND 14 FLATS ABOVE FRONTING STATION ROAD; LANDSCAPING AND EXTERNAL ALTERATIONS TO EXISTING BUILDING AND CAR PARK LAYOUT

**Applicant:** Tesco Stores Ltd  
**Agent:** DPP LTD  
**Case Officer:** Andrew Ryley  
**Statutory Expiry Date:** 22-JUN-11

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### RECOMMENDATION A

**GRANT** planning permission subject to conditions, referral to the Greater London Authority and the completion of a Section 106 agreement by 27<sup>th</sup> March 2012. Authority to be given to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the sealing of the Section 106 agreement and to agree any minor amendments to the conditions or the legal agreement. The Section 106 agreement Heads of Terms would cover the following matters:

- i) Provision of 100% of units for Affordable Housing
- ii) A contribution towards local educational facility improvements;
- iii) A contribution towards open space improvements within the vicinity of the site;
- iv) A contribution towards highway improvements in the area;
- v) The submission of a Recruitment Training and Management Plan;
- vi) A contribution towards the provision of an Employment Coordinator;
- vii) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement; and

Planning Administration Fee: Payment of administration fee for the monitoring of and compliance with this agreement.

It is considered that the proposed extension to the Tesco retail store would result in the appropriate development of the site, creating significant employment opportunities, whilst supporting the role of Harrow Town Centre as a regionally significant Metropolitan Centre. The proposals would encourage the regeneration of Harrow whilst having an acceptable impact upon the appearance and character of the site and neighbours' living conditions, having regard to guidance contained in the relevant guidance contained in National Planning Policies and Planning Statements, the policies and proposals of The London Plan 2011 and the saved policies of the Harrow Unitary Development Plan 2004 set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:

**National Planning Policy:**

Planning Policy Statement 1 – Delivering Sustainable Development (2005)  
Planning Policy Statement 3 – Housing (2011)  
Planning Policy Statement 4 – Planning for Sustainable Economic Growth (2009)  
Planning Policy Guidance 13 – Transport (2001)  
Planning Policy Statement 24 – Noise (1994)  
Planning Policy Statement 25 – Development and Flood Risk (2010)  
Draft National Planning Policy Framework (2011)

**The London Plan (2011):**

2.7 – Outer London: Economy  
2.13 – Opportunity areas and intensification areas  
2.15 – Town Centres  
3.1 – Ensuring equal life chances for all  
3.3 – Increasing housing supply  
3.4 – Optimising housing potential  
3.5 – Quality and design of housing developments  
3.8 – Housing Choice  
3.9 – Mixed and balanced communities  
3.11 – Affordable Housing Targets  
3.12 – Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes  
4.1 – Developing London’s Economy  
4.7 – Retail and town centre development  
4.8 – Supporting a successful and diverse retail sector  
4.9 – Small shops  
4.12 – Improving Opportunities for all  
5.1 – Climate change mitigation  
5.2 – Minimising carbon dioxide emissions  
5.3 – Sustainable design and construction  
5.7 – Renewal energy  
5.9 – Overheating and cooling  
5.10 – Urban greening  
5.11 – Green roofs and development site environs  
5.12 – Flood risk management  
6.1 – Strategic approach  
6.2 – Assessing effects of development on transport capacity  
6.9 – Cycling  
6.10 – Walking  
6.13 – Parking  
7.1 – Building London’s neighbourhoods and communities  
7.2 – An inclusive environment  
7.3 – Designing out crime  
7.4 – Local character  
7.6 – Architecture  
7.7 – Location and design of tall and large buildings  
7.13 – Safety, security and resilience to emergency  
7.14 – Improving air quality

7.15 – Reducing noise and enhancing soundscapes

8.1 – Implementation

8.2 – Planning obligations

**Harrow Unitary Development Plan (2004):**

S1 – The Form of Development and Pattern of Land Use

SEM1 – Development and the Boroughs Regeneration Strategy

SEM2 – Hierarchy of Town Centres

D4 – The Standard of Design and Layout

D5 – New Residential Development – Amenity Space and Privacy

D9 – Streetside Greenness and Forecourt Greenery

D23 – Lighting

H7 – Dwelling Mix

EM24 – Town Centre Environment

T6 – The Transport Impact of Development Proposals

T13 – Parking Standards

EP12 – Control of Surface Water Run-Off

EP25 – Noise

C16 – Access to Buildings and Public Spaces

C17 – Access to Leisure, Recreation, Community and Retail Facilities

**Emerging Core Strategy 2011-2026:**

CS1.L

CS2.H

**Other Relevant Guidance:**

Supplementary Planning Document: Residential Design (2010)

Supplementary Planning Document: Accessible Homes (2010)

Supplementary Planning Document: Access for All (2006)

Supplementary Planning Document Sustainable Building Design (May 2009)

Code of Practice: Refuse Storage and Collection of Domestic Refuse (March 2008)

**RECOMMENDATION B**

That if the Section 106 agreement is not completed by 27th March 2012 then it is recommended to delegate the decision to REFUSE planning permission to the Divisional Director of Planning on the grounds that:

The proposed development, in the absence of a legal agreement to provide affordable housing to meet the Council's housing needs, and appropriate provision for infrastructure that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary social and physical infrastructural improvements arising directly from the development, contrary to policies 3.11, 3.13A/B, of the London Plan 2011 and saved policies S1, D4 and D5 of the Harrow Unitary Development Plan 2004.

**MAIN CONSIDERATIONS AND POLICIES (The London Plan (2011) and saved policies of the Harrow Unitary Development Plan (2004) and any other relevant guidance)**

- 1) Principle of Development (PPS1, PPS3, PPS4; The London Plan: 2.7, 2.13B, 3.1B, 3.3D/E/G, 3.4A, 3.5B/C, 3.8B, 3.9, 3.11, 3.12, 4.1, 4.7, 4.8, 4.9, 4.12; Harrow UDP: D4, EM24, H7, H14, H17)
- 2) Character of the Area, Design and Layout and Residential Amenity (PPS1, PPS3; The London Plan: 7.4B, 7.6B, 7.15B; Harrow UDP: D4, D9; SPD)
- 3) Environmental Impact Assessment (Harrow UDP :D4)
- 4) Parking/Highways Considerations (PPG13; The London Plan: 6.3A, 6.13C/D; Harrow UDP T6, T13)
- 5) Flood Risk (PPS2; The London Plan: 5.12; Harrow UDP: EP12)
- 6) Air Quality / Noise (PPS1, PPG24; Harrow UDP D4, D5, EP25)
- 7) Accessible Buildings (The London Plan: 3.1B, 3.5B, 3.8B, 7.2B; Harrow UDP: D4, C16, SPD: Access for All [2010])
- 8) Sustainable Development (PPS1; The London Plan: 5.1, 5.2A/B, 5.3B/C, 5.7B, 5.9B/C, 5.10C, 5.11A; Harrow UDP: D4, SPD: Sustainable Building Design)
- 9) S17 Crime & Disorder Act (The London Plan: 7.3B; Harrow UDP: D4)
- 10) Planning Obligations (The London Plan: 8.1, 8.2; Harrow UDP: )
- 11) Consultation Responses

**INFORMATION**

This application is reported to the Committee as the floorspace proposed falls outside of the thresholds (400 sq m) set by category 1(d) of the Council's Scheme of Delegation for the determination of new non-residential development. This application was deferred from, the Committee meeting on 14<sup>th</sup> December for a Members site visit which took place on 14<sup>th</sup> January 2012.

**a) Summary**

Statutory Return Type:	6 Large Scale Major Other
Site Area:	2.22 hectares
Car Parking	Existing: 386 Proposed: 452
Council Interest:	None

**b) Site Description**

- The application site comprises the existing Tesco Superstore on the corner of Station Road and Hindes Road.
- The existing superstore was granted planning permission in 1992 and is characteristic of Tesco stores built at that time.
- The customer car park is accessed from Hindes Road, which in turn links into Station Road. Station Road is a London Distributor Road (Road Tier 2).
- Servicing of the supermarket is from a service road to the rear of Dominion Parade, Station Road.
- The site is within Harrow Metropolitan Centre, but is located over 300m away from the nearest Primary Shopping Frontage. As such, it is classed as an edge of centre location in retail planning terms.

- The application site is not within in a Conservation Area nor within the setting of a Listed Building; the site is not within a Controlled Parking Zone or a Flood Risk Zone.

**c) Proposal Details**

- This is a full planning application for a significant development of the Tesco Supermarket on Station Road.
- The works proposed include the following: a two storey extension to front, side and rear of store; decked car park at first floor level over existing car park; a new four storey building fronting onto Station Road, to provide four mixed use units of retail/financial and professional services/ food and drink uses (Class A1/A2/A3) at ground floor and 14 affordable flats above; landscaping and external alterations to the existing building and car park layout.
- The proposed extension would comprise 5,641 sq m gross external floorspace, and allow for a significant increase in the net retail area of the superstore, through both additional floorspace on the ground floor, and through the creation of a mezzanine floor.
- The extended floorspace would consist of the following (please note this relates to internal floorspace):

	<b>Existing (sq m)</b>	<b>Proposed (sq m)</b>	<b>Total (sq m)</b>
<b>Gross floorspace</b>	5,305	5,584	10,889
<b>Net convenience sales</b>	3,057	651	3,708
<b>Net comparison sales</b>	395	2,368	2,763
<b>Total Net Retail</b>	3,452	3,020	6,472

- 66 additional car parking spaces are proposed, leading to a total of 452. The parking spaces would be provided over two levels, with 220 spaces at ground level and 232 spaces on the proposed first floor parking deck.
- The extension itself would be predominantly to the west of the existing building, in the location of an existing car park. However, the works proposed would also include significant alterations to the building at the front and rear.
- The dimensions of the proposed side extension would be 35m in width and 65m in depth. At its closest point, the proposed extension would be approximately 25m to rear of the closet adjacent property on Hamilton Road (No.9 and 11), and approximately 10m to the rear boundary fences. The height of the proposed extension adjacent to the rear of the Hamilton Road properties would be 10m. The elevation would be constructed in brickwork to match the existing store, and contain only high level metal frame clear glazed windows.
- The application proposes extensive alterations to the front of the store. The existing lobby area would be removed and replaced with an 85m wide two storey glazed atrium. The atrium would extend from the existing eastern end of the store (not including the service and delivery area) and cover all of the existing front elevation and part of the extended section.

- The atrium would be on two levels (12m high to the top of the canopy) and would allow access up to the mezzanine and into the decked car park.
- The application also proposes remodelling the front of the existing service and delivery area with full height glazing.
  - The application proposes a single decked car park to the front of the store, over the existing main car park. The height of the decked car park would be approximately 5.5m to its base, with a further height of 1.5m glazed balustrading around the car park.
  - Access into both the existing and proposed decked car park would be via Hindes Road, as is the case currently. However, the application would entail the remodelling of this access (within the curtilage of the application site), which would include an access road and ramp in the south east corner of the site.
  - A four storey building is proposed in the south east of the application site, predominantly fronting onto Station Road (approximately 52.5m in width), with a small section fronting onto Hindes Road (approximately 13.5m in width). The maximum height of the proposed building would be approximately 13m.
  - The proposed building would be of a contemporary design and include a mix of glazing, brickwork and block wall panelling. The ground floor of the building is chamfered at its northern end.
  - The proposed building would be mixed use. On the ground floor, four individual units are proposed, which would be for either Class A1/2/3 use (retail/financial and professional services/ food and drink uses). The total floorspace created would be 437 sq m, but the individual floorspace of each unit would not be stipulated at this stage, owing to the need to create some flexibility in order to market the units.
  - 14 affordable residential units are proposed on the three upper floors of the building, comprising three '1 bed' units, eight '2 bed' units and three '3 bed' units. The tenure of the units is not set at this time, as the applicant has advised that this dependant upon whether grant funding is received from the Homes and Communities Agency (HCA). The applicant has advised that should grant funding be made available then the units would be for 'affordable rent'; if not, they would intend to have them as 'shared ownership'.
  - New landscaping is proposed to the west of the application site (between the proposed extension and properties on Hamilton Road) and the south of the site, between Hindes Road and the proposed decked car park. Planters are proposed to be site within the decked car park, and street trees to the front of the four storey building.

**Revisions to Current Application:**

- During the course of the application, the proposal has been amended. Broadly speaking, these amendments have included the following: a reduction in the size of the rear of the building fronting onto High Mead, by taking back the building line by 5m; reduction in the size of the proposed decked car park, such that this building line has been taken back by 4m on the Hindes Road frontage, and resulted in an total of 6.2m of landscaping;

alterations to the elevational treatment of the car park, by introducing translucent glazed panels that are off set and overlapping; alterations to the proposed four storey building so that the building curves inwards at ground floor level to provide better pedestrian desire lines to access the store, and the removal of the pedestrian route through this building.

- Previously, where the building addresses the corner of Station Road and Hindes Road, the application proposed a pedestrian walkway through the building, which would allow access into the store. This route would have been via the rear of the proposed four storey building and decked car park (and the rear of Dominion Parade), and into the new atrium.
- The extended floorspace previously consisted of the following (please note this relates to internal floorspace):

	<b>Existing (sq m)</b>	<b>Proposed (sq m)</b>	<b>Total (sq m)</b>
<b>Gross floorspace</b>	5,305	5,920	11,225
<b>Net convenience sales</b>	3,057	651	3,708
<b>Net comparison sales</b>	395	2,368	2,763
<b>Total Net Retail</b>	3,452	3,020	6,472

- 84 additional car parking spaces were originally proposed, leading to a total of 470. The parking spaces would have provided over two levels, with 225 spaces at ground level and 245 spaces on the proposed first floor parking deck.

#### **Revisions to Previous Application:**

Following the previous withdrawn application (P/4018/08) the following amendments have been made:

- The original application was for an additional 6,313 gross external floor space. An additional 214 car parking spaces were proposed (leading to 600 in total).
- The original proposal was for a smaller extension to the side of the store, but a larger extension to the front of the storey. In this scheme, the majority of the western car park (the subject of the current proposed extension) would have remained.
- Previous scheme was for a two decked car park, i.e. twice as high as the current scheme, although this would have been confined to the south east part of the site only, not including the existing access road into the site from Hindes Road.
- A two storey commercial building was proposed fronting onto Station Road as per the current scheme. Retail units were proposed within the ground floor of this building, and the ramp access road for the decked car park would have been sited behind it.
- Materials proposed for the extension were timber clad on the north and west facades.

d)	<b>Relevant History</b>		
	LBH/43753	NEW RETAIL STORE (55,000 SQ.FT), CAR PARKING, ACCESS AND ASSOCIATED WORKS	GRANTED 24-JAN-92
	EAST/237/96/VAR	VARIATION OF CONDITION 10 OF P/P LBH/43753 TO ALLOW HOURS OF OPENING FROM 8:00 TO 22:00 MON TO SAT (RE-CONSIDERATION)	GRANTED 29-MAY-96
	EAST/884/98/VAR	VARIATION OF CONDITION 10 OF PLANNING PERMISSION LBH/43753 TO ALLOW 24 HOUR TRADING MONDAY TO SATURDAY	REFUSED 26-APR-99 APPEAL DISMISSED
	EAST/477/99/FUL	SINGLE STOREY SIDE EXTENSION (929 SQUARE METRES) TO STORE WITH REVISED CAR PARKING AND ACCESS	GRANTED 17-SEP-99
	P/0294/08	NEW VEHICULAR ACCESS ONTO DOMINION PARADE, STATION ROAD	REFUSED 11-MAR-08

**Reason for Refusal:**

The proposal would give rise to conditions that would be prejudicial to the safety and free flow of vehicles and pedestrians on Station Road, Dominion Parade and the existing service road, contrary to policies 3C.17, 3C.20 & 3C.21 of the London Plan and policies ST3, T6 and T9 of the Harrow Unitary Development Plan (2004).

	P/1796/08UN	ERECTION OF TWO DRAUGHT SCREENS (3.1M HIGH) AT CUSTOMER ENTRANCE	GRANTED 10-JUL-08
	P/3265/08	GLAZED SCREENS WITH DOORS TO ENCLOSE CUSTOMER ENTRANCE AT FRONT OF STORE	GRANTED 25-NOV-08
	P/4017/08	1). RAISING ROOF OF EXISTING STORE AND CONSTRUCTION OF MEZZANINE FLOOR 2). CONSTRUCTION OF THREE LEVEL DECKED CAR PARK AND 3). CONSTRUCTION OF THREE INDEPENDENT RETAIL UNITS.	WITHDRAWN 03-MAR-09
	P/3332/10	VARIATION OF CONDITION 1 ATTACHED TO PERMISSION EAST/237/96/VAR DATED 29/05/1996 TO PERMIT THE OPENING HOURS FROM 06.00 TO 23.00 MONDAY TO SATURDAY	GRANTED 15-FEB-11

**e) Pre-Application Discussion**

Pre-application advice given in December 2010 set out the following:

- *Officers set out the strategic significance of the site for the AAP and Core Strategy. The impact of the development proposal on the town centre retail offer needed to be carefully considered. Officers were of the view that the site would be better utilised if it included an element of residential use. Traffic impacts and increased parking needed to be explored and justified. Site was considered to be edge of centre. Officers considered there to be merit in exploring with Tesco, how the above concerns, and the realisation of the aspirations for the emerging AAP might be addressed through engagement with GLA and the Councils MDP (this did not occur).*
- Officers noted the basis for the design indicated in the drawings and acknowledged merit in some elements of the proposals. Officers considered that were however, several areas of concern. The proposal itself did not yet fully reflect the Council's emergent aspirations for the site or fulfill the specific design objectives required to meet Development Plan policy expectations for a development of this size and potential impact. The areas of concern were:
- Orientation and entrance to the store – concern regarding quality of pedestrian environment from road to store. Siting and treatment of new retail parade.
- Relationship with the parade to the north and new five-storey development to south needed to be further considered having regard to visibility of deck beyond and importance of a safe and positive access to store.
- Treatment of retail parade – contribution to “infilling” the gap in Station Road acknowledged – required more detail re design, unit size, precise siting.
- Treatment of car park deck – visibility of the structure partly dependent upon siting and extent of new “frontage” units – suggested need to extend to try and wrap the car park more fully with these. Need to consider design (and greening) of deck edge especially to external viewpoints. Rear elevation and interplay between existing store – contemporary/existing store interface acknowledged by all to be awkward at present. Pedestrian route into the store from Hines Road (though deck). Role of site and design in reinforcing the emerging Harrow Green Grid connections

Pre-application advice given in March 2011 set out the following:

- In relation to the proposed four storey building to provide a mixed use retail and residential accommodation, Officers advised altering the alignment of this building so that the relationship between this and Dominion Parade is improved.
- Officers had concerns regarding the poor quality of the space between the retail / residential block and the car park. The units would look out onto, and have access via this space, which will be very unwelcoming, with noise, light and odour pollution. Officers again questioned whether the pedestrian desire line through the residential block to the main store is appropriate. Advised that it would be better to realign the building as suggested above, and for pedestrians to continue to use the Station Road / Dominion Parade access into the main site.
- Officers had concerns with the proposed west elevation of this building. Whilst the views of this would be limited Hines Road, the drawings submitted indicate that it would be a blank facade, and linking into the decked car park.

- Officers raised an area of concern regarding the impact on the amenity of the residential occupiers along Hamilton Road, especially No.3-9 where the proposed decked car parked would be sited in close proximity to them (circa 20m). The concern is with the general noise and disturbance from customers vehicles, especially at unsociable hours.
- Officers advised that the landscaping along Hindes Road needed to be carefully thought out, to ensure that there is sufficient room for landscaping and trees that will make a worthwhile contribution here and that they do not suffer as a result of the proposed decked car park.

**f) Applicant Statement**

- The mix of uses is the most appropriate for the site.
- The development has been designed to prevent any harm to neighbouring properties.
- The scale and amount of development is appropriate, and reflects the constraints and opportunities presented by the site.
- Landscaping will be improved and the development will enhance the relationship of the proposal with the surrounding area.
- Strong active frontage will support the vitality of Station Road, and provide increased accessibility.
- The proposal ensures high quality design, meeting the needs of local shoppers, and the Council's objectives for the surrounding area.
- The location and access arrangements will ensure traffic flows are balanced and safety within the surrounding area is not compromised.

**g) Consultations:**

**Greater London Authority:** The Deputy Mayor considers that the application does not comply with The London Plan (2011). Whilst the principle of development does not raise any strategic issues, further work, revisions and commitments are required with regard to retail, employment, housing, and the design, sustainable development and transport, to address outstanding concerns. If the Council is minded to grant planning permission, then the application must first be referred back to the Mayor.

**Highway Engineer:** No objection in principle. Concern initially raised on the basis that the proposed increase in parking provision for the A1 retail store extension would exceed The London Plan (2011) maximum parking standards and would be contrary to the objectives set out in Planning Policy Guidance Note 13 (PPG 13), which encourage the reduction of need to travel by car, and saved policy T13 of the Harrow Unitary Development Plan (2004) and The London Plan (2011).

However, following subsequent discussions with the applicant and Transport for London, a reduction in the number of spaces proposed, and the submission of further information and analysis from the applicant, confirms that initial concerns have been overcome. Notes that if parking were to be increased to a level of 452 spaces, the corresponding increase in traffic generation would not be at a level that would measurably prejudice the local highway network, and that the applicant is now proposing significant financial contributions to mitigate against the anticipated impact of the proposed store extension.

**Arboricultural Officer:** Comments that it is difficult to establish the tree numbers from the submitted drawings/tree plans, but the plans indicate that around 85-90 trees are to be removed to facilitate the proposed development. This amounts to the majority of trees on-site. Whilst many of the trees are of low / average quality, they provide valuable screening and greenery in an area already dominated by hard surfacing. The trees which are to be retained are mostly those in third-party ownership, the most well established seem to be the trees on the rear boundaries of gardens on Hamilton Road, on the western boundary. These trees could be a constraint on the proposed extension to the west. The proposed new planting on the southern boundary (facing Hindes Rd) may not be feasible or sustainable, given the limited space available. Substantial tree planting should be undertaken to mitigate tree loss (for example 100 or more new street trees, in areas identified in Green grid projects)

**Conservation Officer:** Proposals are not within the setting of any heritage assets therefore have no observations to make on the application.

**English Heritage:** No objection.

**Drainage Engineer:** No objection. Recommends three standard surface water drainage disposal and attenuation conditions.

**Environmental Protection:** No objection, subject to conditions.

**Waste Management Officer:** No objection. Details of a plan showing the proposed access for the refuse vehicle to clarify pull distances is required by way of a planning condition.

**Thames Water:** No objection, subject to conditions.

**Environment Agency:** No objection, on basis of updated adequate Flood Risk Assessment submitted with application.

**Campaign for a Better Harrow Environment (CBHE):** Objects to the application on the grounds that the Traffic Assessment provided in support of the application is "seriously flawed". The Traffic Assessment presented in support of Tesco's proposal lacks rigour and its conclusions are not reliable. The extra traffic generated by the proposed development seems likely to affect road junctions in the area which are already close to or above saturation level. The number of car parking spaces appears to be inadequate. The Mayor of London, Harrow Council, and many others with an interest in sustainability, would like people to use public transport, walk or cycle rather than use a car. Unfortunately, if the Tesco store is extended it is likely to make this modal shift more difficult to achieve. Insufficient attention has been paid to compatibility with the emerging plan for the Harrow and Wealdstone Intensification Area.

**Roxborough Road Residents Association:** Object on the basis that the proposed development would have an adverse impact on the local independent traders in the town and that the visual impact of the development would not be acceptable.

**Buckingham College School:** Object on the basis that the proposed development would have an adverse impact upon the school, through its size and bulk, overlooking, noise and transport issues.

**Advertisement:** Major Development Expiry: 03-MAY-11

**Notifications:**

Sent: 1477 Replies: 28 objections, Expiry: 03-MAY-11  
including 2 petitions.  
33 support

**Summary of Responses:**

The two petitions have been received, which are objecting to the application.

Petition 1, which has 50 signatures, sets out the following:

"We, the residents of Hindes Road are totally opposed to the expansion of the Tesco store, Station Road for the following reasons:

- a) The increase of traffic passing through our road.
- b) The increase of pollution and noise of cars in our road and lack of parking for our own cars.
- c) The increased numbers of people coming into the area from outside and having to cater for them re eating out.
- d) The possible decline of further shops closing in our other shopping centres, St Ann's and St George's due to the economic climate and because people will want to visit this new superstore.
- e) The excuse that this mega project will bring jobs to the area is inexcusable when overstaffed in our other shops may in turn lose their jobs.
- f) The increase of rubbish/toilet waste that will be generated in our area – can Harrow really take on any more concrete constructions as Harrow Council already allows flats to be built in gardens as well as against the wishes of neighbours.

I sincerely trust and hope that Harrow Council by sending out letters to us to residents of Hindes Road, listen, take note and observe how opposition to this mega structure which should preferably be built outside residential and already built-up areas."

Petition 2, which has 191 signatures, sets out the following:

"Reasons why the application for the Tesco expansion should be refused:

1. When Tesco applied to the Council for planning permission to build a supermarket, this was granted on the clear and restrictive provisions that Hindes Road and neighbouring roads were designated residential area. This remains the character of the area.
2. Previously, Tesco failed in its attempt to open 24 hours; and it attracted enough negative comment to withdraw its application to develop an extensive, higher rise rebuild on the site.
3. Tesco's has, following a recent refurbishment exercise, extended its opening times on six days a week by a further three hours, namely from 6 AM to 11 PM. Council permission was granted subsequently.

Harrow already has a wide range of food related outlets including those catering for its widely diverse ethnic population.

4. There is no evidence of unmet demand taking a borough wide picture; there are more than adequate outlets in the borough covering both Tesco's current range of products and it still wider range as set out in its proposals.
5. Tesco plans for expansion are likely to have an adverse affect on small businesses in the local area.
6. The planning application includes new retail outlets on Station Road. There is no shortage of retail space in Harrow and whilst the proximity to Tesco may help to attract tenants, this is likely to result in more empty retail space in the town centre.
7. Any increase in employment prospects, whether full or part-time, have to be offset by the likely loss of livelihoods of local small shopkeepers.
8. The local residential streets to the west of Station Road are likely to suffer increased traffic if the expansion goes ahead. Traffic volumes and congestion as a result of traffic approaching Tesco from this direction are already significant, particularly at weekends.
9. It is regrettable that views about this proposal are not being sought independently. An independent evaluation would have far greater credibility than that conducted by Tesco itself which is of course, an interested party will stop both an impact and needs analysis in respect of the proposal should be undertaken will stop these should be commissioned from independent consultants, taking into account Tesco's representations where necessary.
10. To date Tesco has failed to meet its social obligations to the local area by effectively stopping the littering of its neighbouring streets with its trolleys. Its own site is usually strewn with litter of all descriptions and shows a marked absence of consideration and respect for its customers and those living nearby. This problem is likely to get worse if the store is expanded
11. The proposed development would undoubtedly be suited to a non-residential area or an out-of-town site. This is where Tesco should redirect its commercial ambitions.
12. We are not anti-Tesco. Most of us use Tesco. It is a valued local resource-at its present size."

The following comments are objecting to the application:

- Loss of view from properties along Hamilton Road.
- Overbearing and overshadowing of adjacent residential properties.
- Loss of light and outlook
- Overlooking of adjacent properties, in particular at Bluepoint Court (flats on the corner of Hines Road and Station Road), Dominion Parade and Hamilton Road.
- Proposed development is too big and would be visually intrusive.
- Out of keeping in residential area, in particular Edwardian housing on Hines Road, Hamilton Road and Weldon Crescent
- Impact of increased air pollution, noise and disturbance to adjacent occupiers. Particular concern over proposed decked car park, with issues such as light from headlights, tyre squeal, and also the proposed four storey building directing these impacts to Hines Road.
- Impact of increased deliveries on Dominion Parade.

- Impact of increased traffic on surrounding road network. Noted that there are a number of schools in close proximity to the site that would be affected by the increased traffic.
- Questions over the validity of the documentation submitted by Tesco, in particular in relation to the Transport Assessment.
- Proposed development would not lead to more sustainable transport modes (i.e. cycling) as it would encourage travel to the store by car; the proposed Travel Plan is inadequate. Travel plan is unrealistic and will not achieve stated goals
- Issue of junction capacity of Hindes Road / Station Road interchange and impact upon this.
- Issue of pedestrian access into the store, either through the car park or between the car park and the proposed four storey building.
- Morrison's are constructing a new store in Harrow and a Tesco Express recently opened in Station Road so there is already sufficient supermarket capacity in the Borough.
- Impact of increased non-food sales on smaller traders, in particular within the town and district centres.
- Proposed scale of development would be more appropriate to an out of town site, but not to this location.
- Impact from extensive construction of the site on local amenity, and working outside of acceptable hours (e.g. evenings and weekends).
- Loss of property values to adjacent properties.
- Increased activities of staff around the building, e.g. talking, smoking etc
- Loss of trees
- Concerns raised about the tenure of the flats proposed, stating that "students, young people and young families will bring more traffic, noise and pollution."
- Lack of direct engagement from Tesco with local residents
- Expectation of financial compensation

The following comments are in support of the application:

- A great opportunity to bring a better extended non food offer to Tesco.
- Give more choice to Harrow so people would not need to go to Brent Cross, Hayes or Watford.
- Potential to create new local jobs.
- Provision of additional affordable housing.
- Being able to access a larger range of goods within walking distance will be positive

Tesco have also submitted approximately 746 A5 cards that are a response to their own pre-application consultation for the proposed development, which set out that these people support the expansion of the Tesco store.

## **APPRAISAL**

### **1) Principle of Development**

The 'town centre first' principle for retail development is now well established, and a central tenet of both Planning Policy Statement 4 (PPS 4) *Planning for Sustainable Economic Growth* (2009) and the London Plan (2011). It is not the role of planning authorities to prevent competition. Indeed, PPS 4 states that it is the Government's intention to promote the vitality and viability of town centres through competition and enhanced consumer choice. Rather, local planning authorities are encouraged by the Government to facilitate development in centres and ensure that any out of centre development does not adversely affect the vitality and viability of centres. The London Plan establishes a hierarchy of centres, which places Harrow town centre as one of only twelve Metropolitan centres, and Policy 2.15 requires development to be in scale with the centre in which it is located.

In terms of the principle of development, it is noted that since the publication of the Committee report, that following the Core Strategy Examination in Public earlier in the Autumn, the Planning Inspector's Report has now been received indicating that, subject to modifications, the document is considered to be 'sound'. The Council may now proceed to adopt the Core Strategy as part of the development plan for Harrow, and to this end the document will be reported to full Council on 12<sup>th</sup> February. Pending adoption, the Core Strategy (incorporating the Inspector's modifications) is now a material consideration in the determination of planning applications and appeals.

Overarching Policy CS1 L states that proposals for major new comparison goods floorspace will be directed to locate within the primary retail area of Harrow town centre. Harrow & Wealdstone Policy CS2 H states that sites suitable for major comparison goods retail development within or as an extension to the primary shopping area of Harrow town centre will be brought forward through the Area Action Plan. The subject proposal is for a major comparison goods development and would not be located within the primary shopping area of Harrow town centre. However the reasons for this have been addressed in the main report and, pending the identification of suitable sites through the Area Action Plan, it is not considered that a refusal based on the (now) advanced policies of the Core Strategy would be justified in this instance.

In addition to this, the Government has issued a Draft National Planning Policy Framework [NPPF] that consolidates national planning policy. This has been considered in relation to this application, but it carries limited weight at this stage as it is in draft form and subject to change. Existing national planning policy remains and carries substantial weight and the NPPF does not propose any change in existing national policy relative to the issues of this application. As such, the application has been assessed against the relevant adopted planning policy.

For retail purposes, PPS 4 defines of edge of centre as '...a location that is well connected to and within easy walking distance (i.e. up to 300 metres) of the primary shopping area'.

The primary shopping area is defined as the area ‘...where retail development is concentrated (generally comprising the primary and those secondary frontages which are contiguous and closely related to the primary shopping frontage)’. Harrow town centre’s primary shopping frontages – identified on the proposals map – are drawn tightly around St. Ann’s Road and the adjoining part of Station Road. The Tesco store, although located within the Metropolitan centre boundary, is more than 300 metres from the centre’s primary shopping frontages and, in PPS 4 terms, should therefore be regarded as ‘edge of centre’. The implication of the site’s ‘edge of centre’ status, for retail purposes, is twofold. Firstly, it triggers the requirement to search for sequentially more preferable sites (PPS 4 Policies EC 14 & EC15) and, secondly, it necessitates the consideration of the impact upon town centre (PPS 4 Policies EC 14 & EC16).

PPS 4 Policy EC10 also sets out a number of other aspects against which the application should be tested. These relate to CO2 emissions and climate change, accessibility, design, impact on economic and physical regeneration and employment.

The London Plan (2011) Policy 4.7 notes that the Mayor supports a strong, partnership approach to assessing need and bringing forward capacity for retail, commercial, culture and leisure development in town centres. The policy sets out that in taking planning decisions on proposed retail and town centre development, the local planning authority should seek to ensure that the scale of retail, commercial, culture and leisure development should be related to the size, role and function of a town centre and its catchment; that retail, commercial, culture and leisure development should be focused on sites within town centres, or if no in-centre sites are available, on sites on the edges of centres that are, or can be, well integrated with the existing centre and public transport, and; that proposals for new, or extensions to existing, edge or out of centre development will be subject to an assessment of impact.

Policy 4.8 of The London Plan (2011) states that the Mayor will support a successful, competitive and diverse retail sector which promotes sustainable access to the goods and services that Londoners need and the broader objectives of the spatial structure of this Plan, especially town centres.

The application site lies within Harrow Metropolitan Town Centre, as set out in the Harrow Unitary development Plan (2004), and the Council’s emerging Local Development Framework continues this designation. The London Plan (2011) and Harrow and Wealdstone Area Action Plan (AAP) also set out that the site is designated as within the Harrow and Wealdstone Intensification Area (IA).

The proposed extension would increase the sales area of the store from 3,452 sqm net to 6,472 sqm net. The additional sales floorspace (3,020 sqm net) would be split 651 sqm net for convenience goods sales and 2,368 sqm net for comparison goods sales.

A Retail and Planning Statement was prepared by DPP on behalf of Tesco. DPP note their planning permission to extend the Tesco store by 929 sqm net, split 200 sqm for convenience goods and 729 sqm net for comparison goods (planning reference EAST/477/99/FUL), was granted in 1999, and claim that this permission has been lawfully implemented, although not completed at this time.

Nathaniel Lichfield and Partners (NLP) were commissioned by the Council to undertake an independent review of the retail assessment prepared by DPP. NLP prepared a Retail Study Review for Harrow Council in September 2009.

It is noted that a number of objections have been received, including two petitions, which have cited the need and requirement for the extended store as a principal cause of concern. Objections have been raised stating that the additional floorspace is not required, that it would have an adverse impact on the town centre and other local traders, and that an alternative site away from residential properties – such as an out of town site – would be more preferable.

### Sequential analysis

As noted above, the application site constitutes an edge-of-centre location for retail purposes (although it is within the actual boundaries of the town centre). Regardless of the absence of harm to the vitality and viability of existing centres, retail proposals may still be refused planning permission if it can be demonstrated that sequentially more preferable sites could within existing centres accommodate the development. If the Council is satisfied that the applicants have demonstrated that the proposals will not have an adverse effect on town centres, then the availability of sites within Harrow town centre must be considered in accordance with the sequential approach.

NLP advise that other sites in Harrow town centre need to be considered and their ability to meet the identified need is a key issue. The proposed extension seeks to serve Harrow and its catchment area. Notwithstanding the edge of centre location of the Tesco store in relation to the primary shopping area, an addition to the comparison goods floorspace within Harrow town centre accords strongly with its Metropolitan centre status, the recommendations of the Harrow Retail Study (2009) and the objectives of the emerging Harrow Core Strategy. As such, development in another town centre would not adequately serve the needs of customers in Harrow town centre's catchment area and would be at odds with strategic policy objectives for the centre. For these reasons NLP advise that sites within any other centres (such as outside of the Borough) should be not considered in the sequential analysis. It is appropriate for the applicant to consider sequentially more preferable sites in Harrow town centre only.

The need the development seeks to serve is inextricably linked to the sequential approach as indicated in the PPS4 practice guidance. The NLP Retail Study Review identified retail capacity figures for Harrow town centre at 2015, 2020 and 2025. The surplus expenditure and floorspace projections for Harrow town centre at 2015 were as set out below.

It should also be noted that these projections are based on constant market shares, estimated from the household survey results. New development in Harrow could help to increase expenditure retention.

Convenience Goods

- £30.22m = 2,172 sqm net (large food stores) plus 1,194 sqm net (small stores)

Comparison Goods

- £44.67m = 6,879 sqm net (9,171 sqm gross)

Tesco identified and considered 42 alternative sites in Harrow (including 31 vacant shop units in the town centre) and 21 alternative sites in Wealdstone (including 17 existing vacant retail units in the town centre). Tesco have concluded that none of the identified sites provide an opportunity that would be suitable, available and/or viable. Of the 31 vacant retail units in Harrow town centre, 29 were discounted for being too small. Tesco assessed in greater detail the remaining two units. NLP accept that all of the vacant shop units identified are too small to accommodate the extended food store, but they could meet some of the need for additional comparison sales floorspace in Harrow.

The NLP Retail Study Review identified seven potential development sites, including the Tesco store which was identified as a potential edge of centre development opportunity. The remaining six development sites could accommodate the need for comparison floorspace up to and beyond 2015. However the NLP study considered these sites to be medium to long term opportunities, and therefore their availability to accommodate growth up to 2015 is uncertain. None of the sites is large enough to accommodate the extended Tesco store, but could potentially accommodate the comparison floorspace as a separate entity, known as disaggregation.

The proposed Tesco extension comprises an additional sales area of 3,020 sqm net. The extension is expected to increase the sales area by 651 sqm net for convenience goods sales and 2,368 sqm net for comparison goods. This will result in the split of the net sales floorspace changing from currently 89% convenience / 11% comparison goods to 57% convenience / 43% comparison goods. Tesco do not consider that this revised split would inherently change the operating character of the store. However, NLP dispute this, advising that whilst they agree that the browsing and purchasing of comparison goods can be ancillary to food shopping within a supermarket, it is not essential to have a "full range" of comparison goods within all supermarkets to make them successful stores, as there are numerous stores that function successfully without such a large comparison element. 42% of the extended store's floorspace is considered to be beyond what is a small comparison offer which is ancillary to the food floorspace, and therefore changes the nature of the store.

As part of the assessment of the retail aspect of the planning application, Officers have been in discussions with the applicant regarding the potential to locate the comparison element of the store in a different location that would be closer to the primary shopping area of the town centre.

At the very least, it is incumbent upon Tesco to demonstrate that this is not a viable option, and as such further correspondence has been received from Tesco responding to a number of queries raised by officers. Paragraph 6.32 of PPS4 guidance is relevant as this deals with the trend of foodstores towards selling a wider range of goods, and the need for operators to demonstrate flexibility and the scope for disaggregation.

The question is what alternative sites are available, and are they deliverable. The Greenhill Way car park site, which was considered in the NLP Retail Study Review, is the main potential alternative as it is earmarked as part of a key development site within the Intensification Area, to deliver comparison retail floorspace as part of a mix of uses that might also include housing and employment. The car park is in the Council's single ownership, and access/highway issues raised as potential barriers by Tesco would not be insurmountable. However it is considered that the Council's aspirations for the Greenhill Way car park site would go beyond a stand alone retail outlet; indeed London Plan (2011) policies require sites in town centres and intensification areas to be optimised for an appropriate density and range of uses. To achieve a more comprehensive scheme would make this a longer-term project that would not meet Tesco's more immediate identified need. On this basis it is considered that the Greenhill Way car park site can now be discounted.

NLP conclude that, based on the information available, the availability of other sequentially more preferable sites to accommodate the operator's needs in the short term seems doubtful, and that the Tesco site would be the best edge of centre opportunity to meet their proposed requirements. As such, it is concluded that the application is acceptable in terms of the sequential assessment.

#### Retail impact

Policy EC16 of PPS4 states that planning applications for town centre uses should be assessed against the following impacts on centres:

- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the study area of the proposal;
- a) the impact of the proposal on the town centre vitality and viability, including local consumer choice and the range and quality of the comparison and convenience offer;
- b) the impact of the proposal on allocated sites outside town centres being developed in accordance with the development plan;
- c) in the context of a retail or leisure proposal, the impact of the proposal on in- centre trade/turnover and on trade in the wider area, taking account of current and future consumer expenditure capacity in the study area to five years from the time the application is made and where applicable, on the rural economy;
- d) if located in or on the edge of a town centre, whether the proposal is of an appropriate scale (in terms of gross floorspace) in relation to the size of the centre and its role in the hierarchy of centres;

- e) any locally important impacts on centres under policy EC3.1.e (which requires RPB and LPAs as part of strategy for management and growth of centres to define any locally important impacts on centres which should be tested.

If a proposal is likely to lead to a significant adverse impact, whether on its own or cumulatively, it should be refused. Where there is no significant adverse impact, the local planning authority is required to determine an application taking account of the positive and negative impacts of the proposal and any other material considerations, and the likely cumulative effect of recent permissions, developments under construction and completed developments. In this instance the consented (and now under construction) Morrisons store at Neptune Point is pertinent.

Para. 7.27 of the Practice Guidance on need, impact and the sequential approach which accompanies PPS4 states that where competing proposals come forward on other edge or out of centre sites, the effects of both will need to be assessed and a judgement made as to which offer the most overall benefit in policy terms. Where there is a real potential for several proposals to come forward, their cumulative impact on town centres will need to be considered as part of any assessment.

Tesco's Retail and Planning Statements sets out their assessment of the existing and future retail convenience and comparison spend, looking at a range of Town and District centres and the impacts of the existing store, the previous extension that has been granted planning permission, the current proposed extension and other retail developments notably the Morrisons store at Neptune Point.

Based on these figures and expected future expenditure growth, it is considered that the limited convenience goods element of the proposed Tesco extension will not have an adverse impact on Harrow town centre, provided the scale of additional sales floorspace in the extended store is restricted by condition.

For comparison goods, Tesco identify that the turnover of all comparison facilities in Harrow will be £299.57 million in 2014. The comparable figure in NLP's retail study update is £339.76 million in 2015, based on the latest household survey results. NLP's analysis suggests that Tesco may have underestimated projected comparison turnover of the town centre, i.e. that the town centre will be generating a greater level of spend.

Tesco forecast that the trade diversion from the town centre as a result of the proposed extension equates to just 2.0%, increasing to 2.4% cumulative impact with the proposed Morrisons store. NLP have advised that they consider that Tesco may have underestimated the likely trade draw from the town centre as the likely range of comparison goods that will be sold from the extension are likely to be present in the town centre. NLP advise that, as a food store with 2,763 sqm net of comparison floorspace will sell a wide range of non-food goods, including higher order goods such as clothing and electrical items, as such, the proposed extension will compete with comparison shops in the town centre, as well as other food stores.

NLP state that they estimate that approximately 50% of the additional comparison turnover at the Tesco store could be drawn from Harrow town centre, which would equate to approximately £10m. Therefore, if it is the case that circa £10m was diverted from the town centre to the comparison element of the Tesco extension, this would result in an impact of just 4% overall on town centre spend, which is considered to be relatively low. This is also in the context that NLP consider Tesco to have underestimated the actual turnover of the town centre, and this proportional impact level may be slightly lower.

As such, NLP have advised the Council that the cumulative impact of both the Tesco and Morrisons proposals should not harm the long term vitality and viability of the town centre or cause a significant number of shop closures, subject to appropriate planning conditions. NLP advise that the Tesco store should be conditioned to provide a total net sales area including checkouts of not more than 6,472 sqm net, of which not more than 2,763 sqm net should be devoted to the sale of comparison goods. The reason for these conditions is to minimise impact on Harrow town centre, and to permit the consideration of any increase in the proportion of comparison goods floorspace at the site upon the rest of Harrow town centre, and to permit consideration of the potential availability of any sequentially more preferable sites within Harrow town centre in the event of any future substantial increase in comparison sales floorspace at the site.

### Housing

The principle of providing housing on previously developed land is supported by Planning Policy Statement 1 – Delivering Sustainable Development and Planning Policy Statement 3 – Housing.

Having regard to the London Plan (2011) and the Council's policies and guidelines, it is considered that the proposed 14 new residential units would provide an increase in housing stock within the Borough. Saved policy H10 of the Harrow Unitary Development Plan (2004) and Policy 3.4 of The London Plan (2011) promotes the optimisation of housing output within different types of location.

Policy 3.8 of The London Plan (2011) also encourages the Council to provide a range of housing choices in order to take account of the various different groups who require different types of housing. Consideration will be given to the accessibility of the site to services and amenities and the saved policies of the Harrow Unitary Development Plan (2004) and the London Plan (2011).

Policy 3.12.A/B of The London Plan (2011) requires development to provide the maximum reasonable amount of affordable housing having regard to current and future requirements, adopted affordable housing targets, the need to encourage rather than restrain residential development, the need to promote mixed and balanced communities, the size and type of affordable housing needed in particular locations and the specific site circumstances of individual sites.

There is an identified shortfall in affordable housing at borough, regional and national level and the Council will therefore seek the maximum reasonable amounts of affordable housing in each new development. The 14 units proposed would all be for affordable housing, and therefore make a positive contribution to the supply of new affordable housing within the Borough.

**2) Character of the area, design and layout and neighbouring amenity**

Planning Policy Statement 1 Delivering Sustainable Development (PPS1) advises at paragraph 34 that design which is inappropriate in its context, or fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted. It also encourages the efficient use of land and the use of higher densities, although not at the expense of good design. Furthermore PPS1 refers to a range of design guidance including By Design that identifies the analysis and understanding of the character of an area as an essential prelude to the design of any proposed development.

The London Plan (2011) policies 7.4B and 7.6B set out the design principles that all boroughs should seek to ensure for all development proposals. The London Plan (2011) policy 7.4B states, inter alia, that all development proposals should have regard to the local context, contribute to a positive relationship between the urban landscape and natural features, be human in scale, make a positive contribution and should be informed by the historic environment.

The London Plan (2011) policy 7.6B states, inter alia, that all development proposals should; be of the highest architectural quality, which complement the local architectural character and be of an appropriate proportion composition, scale and orientation. Development should not be harmful to amenities, should incorporate best practice for climate change, provide high quality indoor and outdoor spaces, be adaptable to different activities and land uses and meet the principles of inclusive design.

Saved policy D4 of the Harrow UDP reinforces the principles set out under The London Plan (2011) policies 7.4B and 7.6B and seeks a high standard of design and layout in all development proposals. It goes on to state, amongst other things, that developments should contribute to the creation of a positive identity through the quality of building layout and design, should be designed to complement their surrounding, and should have a satisfactory relationship with adjoining buildings and spaces. The Council has published a Supplementary Planning Document on Residential Design (2010) which sets down the detailed guidance for residential extensions and new residential developments and reinforces the objectives set under saved policy D4.

Saved policy D5 of the Harrow Unitary Development Plan (2004) requires new development *'to provide amenity space which is sufficient: to protect the privacy and amenity of occupiers of surrounding buildings; as a usable amenity area for the occupiers of the development; as a visual amenity'*. Explanatory paragraph 4.28 of saved policy D5 of the Harrow Unitary Development Plan (2004) goes on to state that *'There should be a clear definition between private amenity space and public space'*.

It is considered that given the amount of development proposed it is pragmatic to consider the three main elements of the scheme on an individual basis, and then consider the development holistically. Therefore, this section will consider the impact on the character of the area, design and layout and impact upon neighbouring occupiers amenities, of the extension and alterations to the store, the decked car park and the four storey building fronting onto Station Road.

In terms of neighbours, although being within Harrow Metropolitan Centre, the site is largely surrounded by residential properties. To the north and east of the site, residential houses and flats lie on High Mead and Hamilton Road respectively. To the south of the application site on Hindes Road there is a mixture of houses, flats, and a number of non residential buildings. These include two education premises, Alpha Preparatory School and Buckingham College School (No.15-21), and two hotels, the Lindall and Hindes (No.2-8). To the east of the stores lies the Safari Cinema, and Dominion Parade, which contains ground floor commercial units and residential properties on three floors above. On the other side of Station Road lies the Wickes office building.

#### Extension and alterations to store

The previous application proposed an extension to the side of the store, which would have been 15m wide. As set out above the current proposals are for the extension to be approximately 35m wide. This substantial increase in the width of the extension would result in the side elevation being in much closer proximity to the properties on Hamilton Road.

The visual impact of the extension from a public perspective would be significant from High Mead to the north, and a more distant view from Hindes Road to the south. The latter view would be more fleeting because of the adjacent existing buildings and the proposed development.

As originally submitted, the impact of the development from High Mead would have been significant. The proposed extension would be 10m high here. The proposed extension would have a flat roof, although the way this would interlink with the existing pitched roof structure is unclear from the plans provided. Whilst it is accepted that the view of the development from High Mead is of the 'back of house' functions of the existing store, it is a public elevation nonetheless. The proposed extension in this location would be significant in its size and scale, and it is considered would have an impact on the quality of the streetscene and public realm.

In response to these concerns, the applicant has revised the design of the scheme in this location. These revisions entail reducing the size of the building in terms of its depth by approximately 5 m where it fronts on to High Mead so that it would be in line with that of the existing store. This results in a small decrease in the proposed store's gross floorspace of 345 sq m. It is considered that, whilst overall the bulk and massing of the building in this location is still relatively large, giving the revisions to the scheme to reduce this, and the context of the rear of the existing store, that the application is acceptable in this regard.

Objections have been received from a number of residents of Hamilton Road, including a petition. There is existing mature landscaping on the boundary between the application site and the rear of Hamilton Road, and the applicants Landscape Strategy sets out that new landscaping would take place along the length of this boundary. However, the proposed extension would be 10m high and set 10m from the boundary with these properties.

Whilst it is accepted that the proposed landscaping would go some way to reducing the affect of the proposed extension, it is considered that it would still be some impact on the amenities of the occupiers along Hamilton Road. The question is to what extent would this impact be mitigated against by the existing proposed landscaping, and would the overall relationship be acceptable. The building line along the rear of the properties along Hamilton Road is broadly uniform, and the distance between the backs of these properties and the side of the proposed extension varies from approximately 25 m at its closest to 29 m. It is considered that, on the one hand the proximity of the proposed extension relative to the properties along Hamilton Road has increased in comparison to the previous planning application submitted in 2008. However, on the other, whilst the proposed extension is significant in terms of its size and scale, it would form flank elevation to these properties, and with the exception of high-level windows, would actually reduce the level of activity that occurs in this area, relative to the existing surface car park that exists currently. Members may recall that the application by Tesco to extend their store opening hours, that was granted in February this year, was contentious because of the perceived additional impact that might result in the area of the existing car park to the rear of Hamilton Road. Therefore, whilst the proposed developments would lead to a building of significant proportions in this location, it would largely be screened by existing and proposed landscaping, and as set out above, would actually serve to reduce the physical activity taking place in this area, and as such would be of some benefit to neighbouring amenity in planning terms.

It is noted that there have been concerns raised in relation to overlooking from these windows, however they would be at a level that would preclude that from occurring, and could be conditioned to ensure that the type of glazing would be obscured so as to prevent any perception of such.

Whilst noting the legitimate concerns some residents along Hamilton Road have expressed, in planning terms it is considered that the proposed extension, albeit of a relatively large scale, would be acceptable insofar as its impact on neighbouring amenity, given the separation distances detailed above. Should planning permission be granted, notwithstanding the details submitted by the applicant, it would be important to secure a robust landscaping scheme to ensure that there is a physical separation between the rear amenity areas of the Hamilton Road properties and the proposed extension at the Tesco store. As such, the application is considered acceptable in this regard.

The application proposes a significant glazed atrium to the front of the existing store. This would link the existing ground level car park, and proposed decked car park, with the store. It would accommodate travelators and escalators. It is considered that, in its own right, the proposed glazed atrium would have some merit in terms of its visual impact. Whilst not bold in its design or conception, by virtue of its size and scale, it would be striking, and form a statement at the front of the building. However, the issue in relation to the proposal, is that much of it would be hidden behind the proposed decked car park. The two features would be separated by a lightwell with two pedestrian bridges at first floor level. On balance, it is considered acceptable.

The applicant proposes that the store opening hours would be as per the existing hours, that were extended slightly by way of a Section 73 permission in February this year. That is, from 6 AM to 11 PM Monday to Saturday, and 10 AM to 5 PM on Sundays and bank holidays. As such, the store would not be open 24 hours. In terms of neighbouring amenity it is considered that the proposed hours would be acceptable, and should be controlled by way of a planning condition.

Overall, it is noted that the extension proposed at the Tesco store is significant in terms of its size, scale and bulk. However, considering the extension on its own, its actual impact in terms of the character of the area would be limited, given that for the most part it would be contained within the Tesco site itself. Public views of the proposed extension would be predominantly from High Mead, which would be limited due to its use as a residential street in a cul-de-sac. Views from the East and the West, would be mostly obscured and limited, by virtue of existing buildings, such as the cinema the Dominion Parades shops and flats, and the Hamilton Road properties. From the South, in particular Hindes Road and also Station Road, the proposed extension would be largely obscured in terms of its view from the street by the proposed four-storey mixed commercial / residential building and decked car park. As such, and on balance, it is considered that the proposed extension and other alterations to the store, in terms of their visual impact on the character of the area, its layout and its impact on the amenities of neighbouring occupiers, would be acceptable.

#### Decked car park

The scale of the proposed decked car park has been amended since the previous application. The previous application proposed a two storey decked car park, to the front of the existing store on the eastern side, but not over the existing access or to the western part of the front of the site. The current application has revised this such that the proposed decked car park would be on one level, but cover the entire front of the site.

It is considered that the proposed decked car park would have a significant visual impact on the immediate streetscene, in particular Hindes Road, and the wider character of the area. It is accepted that, from a number of viewpoints, visibility of the proposed decked car park would be limited. This would be due in a large part to the proposed four storey building fronting onto Station Road.

However, there would be a gap of approximately 12m between Dominion Parade and the proposed four storey building where the decked car park would be visible. Moreover, not only would the decked car park be visible from this location, but its prominence would be exacerbated by this being one of the main pedestrian routes into the store.

The main visual impact from the proposed decked car park would be along Hindes Road. In this location, with the exception of the entrance into the site itself, the proposed decked car park would be close to the boundary with the road. The length of the car park in this location would be 67m at first floor level, 6m in height to the top of the balustrade and set back from the edge of the road by 6.2m, which has been increased from 2.2m, as part of the original application.

Given the impact of the proposed decked car park on both the street scene and the wider character of the area, Officers have been in discussions with the applicant with regard to a number of revisions to improve the overall design quality. Whilst it is accepted, due to its scale and prominent siting, in particular along Hindes Road and also Station Road, that the visual impact of the decked car park will remain high, Officers have sought to try and achieve an interface with the public realm that would ensure that this impact is mitigated to some extent.

In essence, the revisions that have been discussed with the applicant, have focused on both softening the urban edge of the decked car park, and allowing some interaction, in terms of the activities within the car park – namely, pedestrian and vehicle movement – and the adjacent public realm. In terms of its size and scale, the applicant has reduced the depth of the car park by 4 m along Hindes Road. This has allowed for an increased landscape buffer in this location. Importantly, this would reduce the impact at street level to pedestrians using Hindes Road. Whilst the decked car park edge would still be prominent, its setback would allow a greater degree of openness in this location, such that one does not feel overpowered.

In terms of the setting of the decked car park, Officers have sought to achieve a scenario whereby there is an interaction, albeit on a very subtle level, between the public realm and people/vehicles using the car park. The revised design sees the replacement of the previously proposed “chequerboard” façade (comprising corten panels with Aluminium mesh) to vertical glass translucent panel cladding. However, the applicant has maintained that part of their own requirements, and as part of achieving sustainability credentials, it is important that the car park is ventilated naturally. Therefore, this would be achieved by the off-setting and slight overlapping of the glass panels, giving the illusion of an uninterrupted and transparent frontage when viewed from Hindes Road and Station Road.

The proposed revisions would result in a more delicate interface with Hindes Road, enabling much greater levels of light to filter through, both during the day and at night time. As the translucent panels allow light to filter through, given the nature of the cars manoeuvring within the car park, the effect would be to give a level of activity to the edge of the car park.

The face of the cladding along the Hindes Road elevation will be provided at both ground and first floor levels. The applicant has set out that the glazing will be double skinned, whilst the offsetting and overlapping of the panels will serve to produce a variegated effect and a more “monumental” feel to this façade.

A glazed stair tower is proposed to project from the decked car park close to the vehicle entrance from Hindes Road. It is understood that this would serve as an emergency exit only. To ensure that this feature does not make a negative contribution to the streetscene, Officers have discussed the possibility that the glazing could be used for some form of public art, perhaps following a design competition. The revised details submitted by the applicant show an indicative etched glass design. It is considered that these revisions are a positive improvement to the design of the scheme.

At its most westerly point the proposed car park would be sited approximately 36m from No.1 Hamilton Road, 29m from the Alpha Preparatory School and 24m from Buckingham College (No.11 Hindes Road), and just 3m from the boundary with the college. The applicant proposes new and enhanced landscaping along the boundaries with these properties to try and mitigate the impact of the proximity of the decked car park. Members may note from the pre-application section above, that Officers raised the issue of the decked car park on the amenities of the properties prior to the application being submitted. The possibility of this section of the car park being reduced in scale was discussed. However, the applicant maintains that this element of the car park is required to accommodate the proposed parking levels. In terms of the impact on the amenities of the adjacent occupiers, the applicant has highlighted that the provision of existing and new landscaping would serve to form a physical and psychological barrier between the two sides, such that these impacts would be mitigated. Officers concur that the landscaping solution would serve to reduce the impact to some extent. However, whilst the landscaping would serve that purpose in terms of the physical characteristics of the site, it is considered that the activities would take place here, vis-à-vis car movements, would need to be carefully controlled, in particular during the more unsociable hours the store would be open.

It is noted that the application to extend the store opening hours, which was granted in February this year, was approved on the basis that a car park management scheme and physical barriers were to be utilised to restrict access to certain areas of the car park (in this case to the west of the building adjacent to the Hamilton Road properties) at unsociable hours. It is considered appropriate and necessary to impose a similar planning condition that would seek to restrict certain areas of the car park, namely those areas closer to residential properties on Hindes Road and Hamilton Road, and potentially the proposed 14 flats, such that the impacts of the use of the car park would be mitigated against.

#### Four storey building fronting onto Station Road

A significant revision from the previous application is the proposed inclusion of a four storey mixed commercial / residential building, in the south east corner of the application site. The proposed building would predominantly front onto Station Road, with a small section turning the corner onto Hindes Road.

The application proposes that the building would be of a contemporary design, with a mix of reddish block brickwork, block wall panelling and glazing. There would be floor to ceiling glazing on the ground floor, and part of the fourth floor. The alignment of the building has been set back from the proposals put forward at pre-application stage, such that it would result in a widened pavement along Station Road. The increase in the depth of the pavement would create an opportunity to improve the public realm in this location, which is considered poor in its current state, being dominated by the current car park for the store. The application has proposed some public realm improvements, focusing on a number of street trees, which is welcomed. At its northern end, the proposed building would be within the same building line as the adjacent building on Dominion Parade, although this element has been revised so that the ground floor of the building would be chamfered (with the first floor overhanging) to increase the public realm and space for pedestrians here.

The proposed building would address the corner of Station Road and Hindes Road, which is considered to be a positive element of the scheme. However, the building would be only 13.5m in length along Hindes Road. As discussed above, instead of this, the proposed decked car park would form the main frontage along Hindes Road. It is noted that the extension of the residential building along Hindes Road was encouraged at pre-application stage. Furthermore, the GLA Stage 1 response highlights that in terms of urban design in public realm, it is disappointing that this has not been done. Notwithstanding the above comments, on balance, the proposal is considered acceptable. The reduction in the size of the proposed decked car park, the revisions to the facing materials and the increase in landscaping along this frontage would result in an appropriate design solution. Furthermore, the Council is currently undertaking a review of public realm across the Borough, and the area around Station Road and Hindes Road will be included in this assessment. As a consequence, through the control of the materials and landscaping by way of planning conditions, it is considered that this part of the application site can make a positive contribution to the ongoing evolution of public realm within Borough.

In terms of residential amenity of the proposed flats, paragraph 18 of PPS3 provides scope for Local Planning Authorities to reference any relevant guidance and standards when assessing applications to ensure high quality development:  
*To facilitate efficient delivery of high quality development, Local Planning Authorities should draw on relevant guidance and standards...*

In view of paragraph 18 of PPS3, when considering what is an appropriate standard of accommodation and quality of design the Council is mindful of the Housing Quality Indicators and the emerging guidance, the London Housing Design Guide (LHDG)(2010). The interim edition of the LHDG has been revised following public consultation on the draft LHDG in 2009 and the findings of a cost and delivery impact analysis. It has been published to show the direction of travel of the final guide, to shape the design of London Development Agency (LDA) supported developments, and to encourage all involved in the design of new housing to embrace the Mayor's aspirations. Furthermore, the Councils adopted Supplementary Planning Document (SPD): Residential Design Guide (2010) also sets out minimum Gross Internal Areas (GIA) for different size residential units.

The application proposes 14 affordable residential units within the block. Each 1 bed flat would be 50 sq m, two bed flat would be 70 sq m and 3 bed flat would be 100 sq m, therefore meeting the standards set out in the LHDG and the Councils adopted Supplementary Planning Document (SPD): Residential Design Guide (2010). The internal room sizes would also comply with those in the LHDG. The proposed flats would be acceptable in terms of their layout and stacking.

Paragraph 4.24 of saved policy D4 of the Harrow Unitary Development Plan (2004) states that bin and refuse storage must be provided "*in such a way to minimise its visual impact, while providing a secure and convenient facility for occupiers and collection*".

The applicant has set out that the refuse store at the rear of the residential block has a space 1.4m deep x 6m wide, which is enough space for 2 x 1110, 2 x 1280 litre bins and also provides for an additional 1.9m wide space which can be used by the retail units. The space required for the retail units will be dependant upon their usage. There will also be space available in the services area immediately next to the residential entrance. The Council's Waste Management Officer has no objection to this, subject to a planning condition to identify details of access for refuse vehicles.

### **3) Environmental Impact Assessment**

The development falls within the thresholds set out in Schedule 2 of the Town and Country Planning (EIA) Regulations 2011 whereby an Environmental Impact Assessment may be required to accompany the planning application for the purposes of assessing the likely significant environmental effects of the development.

Schedule 2 paragraph 10(a) of the Regulations states that proposals for urban development projects of more than 0.5 hectares in area may require an Environment Impact Assessment (EIA). The application site area is 2.22 hectares and therefore the proposed development may require an EIA.

As required pursuant to 4(5) of the Regulations and having regard to the criteria set out In Schedule 3, which provides criteria against which a local planning authority can consider whether an EIA is required, it was concluded that the characteristics of the proposal, the location of the development and the characteristics of the potential impact would be of a nature that did not warrant the submission of an Environmental Impact Assessment as it would not have a significant environmental effect.

### **4) Parking/Highways Considerations**

PPS1 sets out the overarching planning policies on the delivery of sustainable development through the planning system. It emphasises the importance of planning in creating sustainable communities, of reducing the need to travel, and encouraging public transport provision to secure new sustainable patterns of transport development. PPG13 sets out the overall strategy for a sustainable transport system, with the objectives of integrating planning and transport at the national, regional, strategic and local level to:

- i) promote more sustainable transport choices for both people and for moving freight;
- ii) promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling; and
- iii) reduce the need to travel, especially by car.

The London Plan (2011) Policies 6.3, 6.9 and 6.13 seek to regulate parking in order to minimise additional car travel, reduce trip lengths and encourage use of other, more sustainable means of travel. The Parking Addendum to Chapter 6 of The London Plan (2011) sets out maximum parking standards for new development dependant upon their use and level of public transport accessibility. Policy T6 of the Harrow Unitary Development Plan (2004) requires new development to address the related travel demand arising from the scheme and policy T13 requires new development to comply with the Council's maximum car parking standards.

A Transport Assessment (TA) that considers the traffic implications for the development has been submitted with the planning application. The applicant has undertaken an operational analysis of the proposals upon the Hindes Road entrance into the site, and the Station Road / Hindes Road junction, referred to as a TRANSYT analysis. This model assesses traffic capacity for linked signal junctions and calculates the "degree of saturation" at a location. This indicates whether the junction is operating with or without substantial traffic queues and delays. If a threshold of 80% is exceeded this indicates that a junction (whole or part) is 'over saturated' and excessive queuing and delays are occurring.

It is noted that a significant number of objections have been received that raise concerns in reaction to the potential traffic situation from the proposed development. Among those objecting on these grounds are the Campaign for a Better Harrow Environment (CBHE), and a specialist transport consultant, who has undertaken a detailed critique of the TA submitted with the application.

The TA indicates that the proposed development would lead to the following traffic generation, as measured using the Hindes Road entrance:

	<b>AM 08.15-09.15</b>		<b>PM 16.45-17.45</b>		<b>Sat 12.15-13.15</b>	
	IN	OUT	IN	OUT	IN	OUT
Existing Store	279	204	294	299	481	433
Proposed extension	66	48	70	71	114	103
<b>Total</b>	<b>345</b>	<b>252</b>	<b>364</b>	<b>370</b>	<b>595</b>	<b>536</b>

As such, the increase in traffic from the proposed extension would be 114 vehicles in the weekday AM peak, 141 in the weekday PM peak, and 207 during Saturday peak trading hours.

In line with Harrow's network management plan a predicted traffic growth of 11% between 2006 and 2020 has been accepted. Department for Transport (DfT) guidance allows for traffic generation analysis to be undertaken for the year of opening (2012) with a future assessment year (15 years hence) of 2027.

The traffic surveys undertaken by the applicant in January this year indicate a fall in traffic movement as compared to similar surveys undertaken in June 2008 at the Station Road /Hindes Road junction. These reductions amount to:- northbound (4% AM peak/ 15% PM peak) and southbound flows (6% AM peak/4% PM peak). On this premise it has been considered fair to apply zero traffic generation growth at the anticipated year of opening (2012) and projected year of 2027.

As Member's will be aware, traffic flows vary from day to day due to 'knock on' effects of road traffic conditions in other parts of this and neighbouring boroughs which can increase or indeed decrease traffic movements. Also personal choice / circumstances and weather conditions can influence matters in this respect. A typical 5-10 % daily variation can therefore be expected so the 'apparent' reductions in traffic flows from 2008 to 2011 can be mostly attributed to this percentage variance.

It is accepted that some modal shift toward more sustainable travel will apply to any future traffic flow and growth projections but this cannot be accurately quantified as mode shift is heavily dependant on numerous extraneous factors, such as the combined effects of spatial planning and controls of development, fares pricing and public transport accessibility, road space control and parking pricing mechanisms within Harrow and London as a whole, contributing to successful modal shift outcomes. Officers therefore consider that it is reasonable to assume an overall average of 0.5 to 1% year on year increase in traffic flows to the projected assessment year of 2027.

A traffic model named TRANSYT has been applied to the Station Road junctions with Hindes Road and Greenhill Way. This model assesses traffic capacity for linked signal junctions and calculates the "degree of saturation" at a location. This indicates whether the junction is operating with or without substantial traffic queues and delays. If a threshold of 80% is exceeded, this indicates that a junction (whole or part) is 'over saturated' and excessive queuing and delays are occurring.

It has been demonstrated that the Hindes Road/ Station Road junction currently exceeds this threshold of 80% on the Station Road arm of the junction. As there is little scope for further enhancement or development of the current signal arrangement, this over-saturation raises concerns as the projected overall traffic growth will further exacerbate the situation with the store extension proposal contributing negatively to the status quo. This junction over-capacity is affirmed by the Council's independent transport capacity audit produced as an independent evidence base for the emerging Local Development Framework (LDF).

The application proposes an additional 66 car parking spaces in addition to the 386 existing spaces, leading to a total of 452. This has been reduced during the course of the application, from the original 470 total proposed (84 new spaces). It is noted that the previous application proposed a total of 600 spaces.

The appropriate level of parking has been the subject of much discussion between the Councils Highway Engineer, Transport for London (TfL) and the applicant. The question is whether the proposed level of parking would be in accordance with The London Plan (2011), whether it would contribute to the principles of sustainable development and whether the level would be appropriate with respect to the demand for the store itself and the ability to use it for linked trips for the town centre.

The current baseline parking provision of 386 spaces is in line with The London Plan (2011), which indicates that this level should remain if the store extension is applied. i.e. even with the extended store space, the provision of 386 spaces is consistent with the new store as a whole (as opposed to assessing the existing and new parts of the development separately).

As set out, following further negotiation the applicant has now reduced the total desired parking provision from 470 to 452 spaces. To justify this higher level of provision, parking accumulation studies undertaken by the applicant suggest that, in particular, the Saturday peak period store demand currently creates significant overflow beyond the existing provision, such that other parking areas (e.g. Greenhill Way car park) are required. The applicant makes the case that this 'overflow' would be exacerbated if the store is extended without additional parking provision, thereby causing the interruption of traffic free flow on the highway which we wish to avoid.

It is accepted that the additional 66 spaces proposed would reduce such potential impact when considering the additional parking demand generated by the store extension. This is acknowledged by both TfL and LBH

The Council's Highway Engineer, in conjunction with TfL, has advised that the additional traffic generated by the proposed extension would not measurably affect / impact on the surrounding area, and as such it is considered that the reduced figure of 452 spaces would be acceptable given the reduced likelihood of traffic overflowing onto the public domain.

To support this 'higher than baseline' parking provision the applicant is also allowing for public realm betterment in the form of the following highway improvements:-

- Dedication of land to substantially enhance footway provision on the Station Road frontage thus benefiting the public realm.
- The removal of the northbound bus lane at the Hindes Road/Station Road signal junction to release additional highway capacity at this junction.
- Removal of surplus guard railing at the above location to reduce street clutter and improve pedestrian movement.
- The enhancement of a pedestrian refuge in the vicinity of the store to benefit pedestrians.
- A financial contribution to the TfL 'Legible London' signing strategy.

In addition a sum of £10,000 would be allocated toward the Harrow and Wealdstone Area Action Plan (AAP) strategic transport model which is currently being established to inform planning applications within the intensification area.

90 cycle parking spaces are proposed, which is consistent with The London Plan (2011) standards (1 space per 125 sq m GFA for Town Centre retail). The majority of the proposed cycle parking provision is located adjacent or near to the store entrance and this is considered acceptable. It is noted that a number of spaces are proposed to be located adjacent to the external stairwell fronting onto Hindes Road. Officers have some concerns about the usability of these spaces, given that the location would be set well away from store entrance. Officers have raised this issue with the applicant, but they have advised that there are no other alternative locations for these spaces, and they are required to conform with The London Plan (2011). As such, it is considered that whilst this element of the scheme is less than desirable, it is not of sufficient weight to warrant the refusal of planning permission on this ground alone.

27 designated disabled spaces are proposed, conforming to The London Plan (2011) standards.

Electric vehicle charging (EVC) points - It is proposed for 10% of retail spaces to be EVC compliant with a further 10 % passive parking provision. 20% of the parking provision for the residential C3 element is to be provided with a further passive provision of 40%. These provisions are compliant with The London Plan (2011) standards and are therefore considered acceptable.

The site has an existing servicing provision accessed via Station road and to date there are no recorded issues arising from the current operation, although it is noted that objections from residents of the Dominion Parade flats have been received in relation to this matter. The applicant has indicated that there would be a small increase in activities as a result of the store extension, and will mostly occur during off-peak periods. The Council's Highway Engineer has no objection to this in principle, but has advised that any proposed intensification of servicing regime would need to be secured under a planning condition for agreement post-planning permission, and this would take the form of a full Delivery and Servicing Plan (DSP).

Whilst the impacts of construction largely fall outside of the planning process, given the 'traffic sensitive' location of the site, the Council's Highway Engineer has advised that a Construction Logistics Plan (CLP) should be secured via a suitable planning condition.

The Council's Highway Engineer has advised that the framework Travel Plan submitted with the application is generally robust and in line with TfL guidelines. A final version would be secured by appropriate planning condition. .

### Conclusion

It is apparent there would be a greater parking demand resulting from the store extension. In terms of the characteristics of the public realm in the locality, it is given that the location is sustainable with a high Public Transport Accessibility Level (PTAL) of 4 and all surrounding roads are strictly controlled by all day waiting restrictions by way of a Controlled Parking Zone operating from 8.30 am to 6.30 pm Monday to Saturday.

In accordance with the rationale behind PPG 13 which promotes sustainable travel, these are all controlling factors in parking demand and traffic generation terms hence there is a case to be made with regard to site generated traffic and parking demand finding its own level if fewer parking facilities are available on site combined with strict on street parking controls and good access to public transport facilities.

In line with pre and post application advice afforded to the applicant the Council takes the view that a holistic approach should be applied to consider the existing store and proposed extensions as one entity in order to determine a final level of parking provision. This approach indicates that the existing parking provision of 386 spaces would suffice for the extended store in accord with The London Plan (2011) Parking Standards.

However it is accepted that if parking were to be increased to a level of 452 spaces, the corresponding increase in traffic generation would not be at a level that would measurably prejudice the local highway network in the context of the applicant now providing significant financial contributions to mitigate against the anticipated impact of the proposed store extension as outlined above under 'highway improvements'. TfL support this approach.

In summary as the applicant has reduced the original quantum of desired parking provision from 470 to 452 spaces and enhanced the package of mitigation measures and improvements to the public realm, there is now no objection to the proposal. This view is confirmed by TfL.

### **5) Flooding**

Saved policy EP12 of the Harrow Unitary Development Plan (2004) states that development likely to result in adverse impacts, such as increased risk of flooding, river channel instability or damage to habitats, will be resisted. The reasoned justification (3.47) goes on to state that susceptibility of land to flooding is a material planning consideration. Given the uncertainty inherent in estimating flood risk and increased risk arising from climate change, Planning Policy Statement (PPS) 25: Development and Flood Risk advises local planning authorities to apply the precautionary principle to the issue of flood risk, avoiding risk where possible and managing it elsewhere.

The Environment Agency (EA) has been consulted on the application, and initially raised an objection on the basis that the Flood Risk Assessment (FRA) submitted with the application was unacceptable. The applicants consultant, Pinnacle Consulting Engineers Ltd, have responded to the concerns raised by the EA and have submitted an updated FRA.

The FRA sets out that the existing impervious area for the site and therefore the existing positively drained area is 20,892 m<sup>2</sup>. As a result of the proposed works, the proposed impervious area would be 20,703 m<sup>2</sup>, resulting in a reduction of 189m<sup>2</sup>. Therefore, in accordance with advice contained within PPS25, the 1 in 100 year surface water runoff rate from the proposed development would be less than the existing rate and thus betterment is provided. However, in accordance with the requirements set out within The London Plan (2011), the rate of surface water runoff from the proposed development for a 1 in 100 year storm event, inclusive of an allowance for climate change, would be attenuated to provide a 50% reduction in surface water runoff from existing rates. It is noted that, due to the residential units within the proposed development, a 30% allowance for climate change has been adopted in attenuation calculations.

With reference to the indicative flood map published by the EA, the development site is located within Flood Zone 1 'Low probability'. This has been confirmed by the site specific flood risk assessment as detailed at Section 4.1. From Table 3.3 the Tesco store extension and retail units are classified as 'less vulnerable' the proposed block of flats is classified as 'More vulnerable' (Flood Risk Vulnerability Classification) and therefore, from Table 3.4 the overall development is classified as 'appropriate'. Moreover, as the site is located entirely within Flood Zone 1 the Sequential Test can be deemed to be passed for the site and it is not necessary to sequentially test the development layout.

Due to unsuitable ground conditions, the FRA sets out that the use of infiltration methods is considered a very low viability option for the discharge of surface water runoff. It is therefore proposed that the rate of surface water runoff from the proposed development be restricted to 50% existing discharge rates at corresponding return periods. The necessary attenuation will be provided using a porous paving system for the pedestrianised route and for the remaining site, a below ground Geolight modular attenuation system with an approximate volume of 825m<sup>3</sup>, which will be confirmed at detail design stage and details of which can be secured via a planning condition. The FRA states that the Geolight system will be designed to accommodate all storms up to and including the 1 in 100 year + 30% climate change event. The normal precautions regarding water quality will be observed by the provision of appropriate petrol interceptors, deep silt trapped gullies and silt boxes to all channel drains.

On the basis of the updated FRA, subject to securing details of the above, the EA are now content with the application and have withdrawn their objection. As such, the application is considered acceptable in this context.

**6) Noise / Air Quality**

It is noted that a number of residents have raised concerns with the potential additional impacts from the extended store, in particular in relation to air quality and noise. An Air Quality Assessment, prepared by RSK Group Plc, and a Noise Assessment, prepared by Sharps Redmore Partnership, have been submitted with the application.

The Noise Assessment concludes the following:

- The additional mechanical services and refrigeration plant can be designed such that daytime noise levels do not exceed 40 dBA and night time noise levels of 39 dBA, at the nearest noise sensitive properties.
- The proposed residential properties fall within Noise Exposure (NEC) C, and therefore appropriate thermal double glazing would be required to ensure reasonable internal noise levels. As such, mechanical ventilation will need to be provided.

The Air Quality Assessment concludes the following:

- The primary source of emissions to air once the proposed development becomes operational is considered to be additional road traffic. The key air pollutants of concern are considered to be nitrogen dioxide (NO<sub>2</sub>) and particulate matter (PM<sub>10</sub>). In order to quantify the potential air quality impacts at sensitive receptor locations during the operational phase of the development, three different scenarios were assessed using an advanced dispersion model (ADMS-Roads) and one year of hourly sequential metrological data, as follows:
  - 'Base Case' scenario representing the 'existing' air quality situation;
  - 'Do Nothing' scenario without the proposed development at the opening year 2013; and
  - 'With Development' scenario with the proposed development at the opening year 2013.
- The predictive assessment identified no accordance of relevant air quality objectives for NO<sub>2</sub> and PM<sub>10</sub> at any of the sensitive receptor locations under any of the assessed scenarios.
- Interpretation of the modelling assessment results with planning guidance provided by Environmental Protection UK indicates that the overall impact of the proposed development is likely to be 'negligible'.
- Air quality is considered to be a low property concern for the proposed development scheme.

The Council's Environmental Health Officer (EHO) has raised no objection to the proposed development. The EHO has set out a number of restrictive planning conditions that would seek to ensure that noise levels would not be unacceptable. These conditions are recommended below.

**7) Accessible Buildings**

Saved Policies D4 and C16 of the Harrow Unitary Development Plan (2004) and policy 3.8 of The London Plan (2011) seeks to ensure that all new housing is built to Lifetime Homes standard.

Furthermore, The London Plan policy 7.2 requires all future development to meet the highest standards of accessibility and inclusion. The supporting text at paragraph 4.112 emphasises that a truly inclusive society is one where everyone, regardless of disability, age or gender can participate equally. A recent appeal decision at No.72B Marlborough Hill (ref APP/M5450/C/10/2135771) has confirmed that this policy should be given significant weight when assessing planning applications.

In terms of the proposed extension to the retail store, clearly lifetime homes standards are not applicable for a building of this nature, but the applicant has set out that the building will be accessible to people with all levels of disability and will be designed in accordance with part of the building regulations and in line with BS 8300. As such, it is considered that the application is acceptable in this regard.

In terms of the proposed 14 residential units within the four-storey building fronting onto Station Road, lifetime home standards will be applied to all of these, and they would follow the technical guidance within the Mayors Interim London Housing Design Guide. In particular the Design and Access statement highlights that all approaches are level access or gently sloping and would be illuminated; that communal stairs will be ambulant disabled compliant and the lift would be for the disabled compliant; internal doorways and hallways will conform to part M of the building regulations; there would be turning space for wheelchairs in dining areas and living rooms adequate circulation space for wheelchairs elsewhere; within the three-bedroom flats will be wheelchair accessible toilets; living room window glazing will be no higher than 800 mm from the floor level and windows will be easy to open and operate.

It is considered that the applicant has suitably demonstrated that the proposal, in terms of both the extension and the 14 residential units, would be consistent with planning policies requiring the highest standards of accessibility and inclusion as set out above.

#### **8) Sustainable Development**

Policy 5.1 of The London Plan (2011) seeks to achieve an overall reduction in London's carbon dioxide emissions of 60 per cent by 2025. Policy 5.2A/B of The London Plan (2011) sets out the 'lean, clean, green' approach to sustainability, which is expanded in London Plan policies 5.3A, 5.7B, 5.9B/C, 5.10C and 5.11A. Harrow Council has adopted a Supplementary Planning Document on Sustainable Building Design (adopted May 2009).

The applicant has submitted an energy statement which confirms that Tesco are committed to achieving Buildings Research Establishment Environmental Assessment Method (BREEAM) Very Good rating for the proposed extension, and Level 4 of the Code for Sustainable Homes for the proposed 14 residential units.

The applicant's energy statement sets out that the proposed extension would achieve a 25% reduction in carbon emissions through a range of measures. These measures would include:

- Transport considerations through a Travel Plan, providing targets to enable the reduction in car use both staff and customers
- 90 dedicated cycle spaces with secure cycle storage, improved walking network and electric vehicle charging points.
- Energy efficient lighting, with external Passive Infra Red (PIR) sensors and time switches would be incorporated into appropriate areas.
- Ecological enhancement through additional planting of trees and shrubs around the perimeter of the site and the debt car park provide visual containment and attractive gateway feature.

It is noted that, whilst it is positive that the applicant has committed to achieving high standards of sustainability in relation to both the proposed extension to the store, and the 14 residential units, the details within the energy statement are not explicit in terms of how this would be achieved. It is further noted that the GLA in their Stage 1 response have raised concerns about this matter. The applicant has not committed to use any on-site renewable technologies in order to achieve a 25% reduction in carbon emissions as required by The London Plan (2011) policies. The energy statement sets out that none of the available renewable energy technologies meet the appropriate technical or viability constraints, that would allow them to be used within this development. As such the carbon reduction targets would be met through energy efficiency in design building an operation only.

In response to the GLA's concerns, the applicant has set out a range of details in relation to sustainability matters. The applicant has set out in detail how the energy efficiency measures referred to in the energy statement would work in practice. In terms of renewable energy technologies, the applicant acknowledges that there may be a potential shortfall in achieving the required carbon reduction targets under Part L of the 2010 Building Regulations; however, further modelling is taking place in relation to this matter. This modelling includes options for the potential use of photovoltaics, solar thermal and heat pumps. The applicant goes on to highlight that whilst renewable energy technologies may not be initially installed, consideration has been made with regard to the design and build of the residential dwellings to facilitate their installation at some point in the future. For example, the roof structure has been designed with suitable fixing locations for photovoltaics or solar hot water panels; the roof has been orientated to face between south-east and south-west with minimal overshadowing; the provision of identified electrical cable ductwork between electrical consumer unit and proposed location of generating equipment, which would allow for small-scale wind photovoltaics to be installed.

Whilst it is noted that the applicant has not set out in detail how precisely the proposed development would achieve the relevant carbon emission reductions and energy savings, the submitted energy statement and further correspondence does give a sound commitment to achieve this. The applicant has highlighted by this stage in the development cycle, it would be appropriate to secure further details of these matters through the use of a planning condition, which whilst noting the GLA's concerns, is considered appropriate.

Therefore, to ensure compliance with the above planning policies, it is recommended that a planning condition is imposed to address sustainability matters and ensure that the development will achieve the appropriate level to meet the BREEAM and Code for Sustainable Homes standards.

**9) S17 Crime & Disorder Act**

Policy D4 of the Harrow Unitary Development Plan (2004) advises that crime prevention should be integral to the initial design process of a scheme. Policy 7.3 of The London Plan (2011) seeks to ensure that developments should address security issues and provide safe and secure environments.

The original scheme proposed a pedestrian link on the corner of the four storey building fronting onto Station Road, that would allow access around the rear of this building and the car park. Officers considered that the quality of this enclosed space would be poor, as it would be confined with little scope for meaningful natural surveillance. As such, Officers consider this area could potentially generate criminal related activities. As highlighted at pre-application stage, the quality of this pedestrian link was raised as a potential issue, and it was suggested that it would be better to remove it. As such, the applicant has removed this element from the proposed scheme, such that at ground floor level there would only be the proposed A1/2/3 uses. Access in to the main store would still be via the space in between the existing buildings on Dominion Parade (as it currently is) and the new proposed four storey building. However, to aid the pedestrian desire line into this space when approaching from the south from Station Road (i.e. Harrow Town Centre), the building has been tapered in at ground floor level. This would have the effect of increasing the public realm in this location and allow freer access into the entrance to the store (via the car park).

The Council have consulted the local Crime Prevention Design Advisor (CPDA) in relation to the detailed crime and security matters. In addition to providing the Council with comments on the application, the CPDA has liaised directly with the applicant in relation to these matters, and wider counter-terrorism concerns that are now considered with major developments located in town centres. The CPDA is responsible for approving (or not) any application for a Secure by Design (SbD) accreditation that may be applied for by Tesco.

The CPAD have raised a number of points in relation to Crime and Security. Tesco have been able to confirm that, as far as they are able to, they would comply with the requirements as set out by the CPDA. A number of these matters fall within the remit of the planning process and further details could (and should) be secured by way of planning conditions, should planning permission be granted. These matters include details of external lighting, boundary treatment, cycle storage and CCTV. Should permission be granted, these details would be secure through conditions, and their final approval would be signed off by the Council in conjunction with further discussions with the CCPD. However, a number of the matters raised are not matters that the Council can control through the use of planning conditions. Having said that, Tesco have advised that they are committed to achieving a SbD accreditation, and as such the CPDA will be responsible for approving this.

Overall, the CPDA has advised that no objection in principle is raised in relation to the scheme, subject to the detailed matters being secured by way of conditions as set out above. As such, the application is considered to be acceptable in the context of Policy 7.3 of The London Plan (2011) and saved Policy D4 of the Harrow Unitary Development Plan (2004).

#### **10) Planning Obligations**

Policies 8.1 and 8.2 of The London Plan (2011) seek to ensure that development proposals make adequate provision for both infrastructure and community facilities that directly relate to the development. Developers will be expected to meet the full cost of facilities required as a consequence of development and to contribute to resolving deficiencies where these would be made worse by development.

A payment or other benefit offered pursuant to a Section 106 Agreement is not material to a decision to grant planning permission and cannot be required unless it complies with the provisions of the Community Infrastructure Levy Regulations 2010 (Regulation 122), which provide that the planning obligation must be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

Government Circular 05/2005 also provides guidance on the use of planning obligations, which may impose a restriction or requirement, or provide for payment of money from the developer to make acceptable development proposals that might otherwise be unacceptable in planning terms. These obligations may offset shortfalls in the scheme or mitigate the impacts of the development.

The following contributions have been discussed and agreed with the applicant as forming the basis for a Section 106 Agreement, should planning permission be granted. The majority of the contributions involve alterations and improvements to the local highway network. The measures have been identified by the applicants transport consultants as being required as a result of the increased number of cars / pedestrians accessing the site.

Hindes Road is within the Council's Green Grid area, and therefore given the significant physical development proposed here, it is considered reasonable to secure a financial contribution for the implementation of this programme.

No onsite play space in connection with the residential units is proposed by the applicant, and therefore in accordance with The London Plan (2011) policy 3.6B, financial a contribution has been agreed towards off-site provision.

<b>MEASURE</b>	<b>CONTRIBUTION</b>
Removal of northbound bus gate to the south of the junction with Hindes Road	£50,000
Removal of nonessential guard railing along Station Road /Hindes Road junction	£10,000
Improved refuge island at Station Road	£10,000
Yellow box markings at Woodlands / Station Road junction	£10,000
Strategic Highways Model	£10,000
Legible London	£20,000
Green Grid	£20,000
Play space provision (off-site)	£10,000
S.106 Monitoring (4%)	£5,600
Education – Financial contribution, based on child yield, for the delivery of new and extended (permanent bulge year classes) education facilities to support the development	£33,600
Bus network countdown systems – provision / facilities in store to link in with local Countdown system to be rolled out in 2012.	Non-financial, obligation on developer through Green Travel Plan.
Public realm – repaving of Station Road and Hindes Road to ensure consistent hard surfacing; other public realm facilities.	Non-financial, obligation on developer.
Affordable Housing provision	Non-financial, obligation on developer.
<b>Total</b>	<b>£179,200</b>

On the basis of the above, the proposed development is considered to be in accordance with polices 8.1 and 8.2 of The London Plan (2011).

## 11) Consultation Responses

It is noted that objections and letters of support have been received in relation to the planning application. The majority of the comments made in response to the public consultation has been addressed in the main body of the report.

The comments in relation to a loss of property values in the local area and noted, but in planning terms cannot be afforded significant weight.

The concerns in relation to the potential for disturbance from the construction of the development, are noted, but can only be given limited weight in planning terms. Notwithstanding this, as set out above, given the significant scale of the proposed development, planning conditions are recommended that cover both their Construction Management Plan and a Construction Logistics Plan.

## **CONCLUSION**

Overall then, it is considered that the planning application for the extension, decked car park, four-storey mixed-use building and other associated works, is consistent with national and local plan policies.

It is noted that concerns have been raised in relation to the impact of the extended Tesco store on Harrow town centre in particular, and other local traders. Ultimately, the Council's retail consultants have advised that whilst there would be some diversion of trade from the town centre to the extended store in relation to comparison goods (in particular higher order goods), in terms of the overall spend within the town centre, this diversion of trade would be negligible. This is in the context that the Council's retail consultants have advised that Tesco may have underestimated the overall spend within the town centre in any case, which if it were the case, would reduce the impact still further.

Another common objection to the planning application has been in relation to the impact on the local highway network, in particular the Station Road / Hindes Road junction. The analysis undertaken by the applicant in support of their application, and confirmed by both the Council's Highway Engineer and Transport for London, sets out that this junction is already operating at overcapacity, and consequently, the additional traffic movements generated at peak hours by the extended store, would not exacerbate existing capacity issue. Furthermore, the proposed on-site parking provision, is considered acceptable. The applicant has committed to, and the Council would secure through the Section 106 Agreement, improvements to both the highway network and the surrounding public realm.

In terms of the size and scale of the proposed development, it is accepted that these are significant. However, this must be assessed in the context of how visible or prominent they would be in terms of their public views. It is considered that the proposed four-storey mixed-use building that would front onto Station Road would make a positive contribution to the street scene and the wider character of the area. Furthermore, due to its prominent siting, it would serve to screen a lot of the other proposed development. Clearly, the proposed decked car park would also be highly visible, but on balance, it is considered that the revisions in terms of its size and scale and facing materials, would be acceptable.

The application has been assessed in terms of all other relevant material planning considerations, such as noise and air quality impacts, sustainability, accessibility, and crime and security, and has been found to be acceptable in terms of its consistency with national and local planning policies.

In conclusion, it is considered that the proposed development, taking into account the above analysis in relation to its acceptability in planning terms, and that it would result in economic development and job creation local people, is appropriate.

## **CONDITIONS**

1 The development hereby permitted shall be begun before the expiration three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2 The development hereby permitted shall not commence until samples of the materials to be used in the construction of the external surfaces noted below have been submitted to, and approved in writing by, the local planning authority:

a: facing materials

b: the ground surfacing

c: the boundary treatment

The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the appearance of the locality in accordance with Policy D4 of the Harrow Unitary Development Plan (2004).

3 The development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with Policies D4 and D9 of the Harrow Unitary Development Plan (2004).

4 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s), or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with Policies D4 and D9 of the Harrow Unitary Development Plan (2004).

5 No site works or development shall commence until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s), and any other changes proposed in the levels of the site, have been submitted to, and approved by, the local planning authority.

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement in accordance with Policy D4 of the Harrow Unitary Development Plan (2004).

6 Before the first use of the development hereby permitted, a detailed Lighting Plan shall be submitted to, and approved in writing by, the local planning authority. The Lighting Plan shall be implemented in strict accordance with the approved details, and adhered to throughout the operation of the store.

REASON: To manage the impact of the development upon the local area during its operation in the interests of public amenity and the local natural environment in accordance with Policies D4 and D23 of the Harrow Unitary Development Plan (2004).

7 Before the first use of the development hereby permitted, a scheme for the provision of Closed Circuit Television Cameras (CCTV) shall be submitted to, and approved in writing by, the local planning authority. The CCTV scheme shall be implemented in strict accordance with the approved details, and adhered to throughout the operation of the store.

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime, in accordance with Policy D4 of the Harrow Unitary Development Plan (2004), and Section 17 of the Crime & Disorder Act 1998.

8 Notwithstanding the submitted details, the first use of the development hereby permitted, details of the facilities for the secure parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority, provided prior to the development being first occupied and retained thereafter.

REASON: To ensure the delivery of a sustainable development which seeks to minimise travel by private car in accordance with PPS1 and its supplement Planning and Climate Change, PPG13 and Policies D4 and T6 of the Harrow Unitary Development Plan (2004).

9 The approved store shall provide a total net sales area including checkouts of not more than 6,472 sq.m net, of which not more than 2,763 sq.m net should be devoted to the sale of comparison goods.

REASON: To minimise impact on Harrow town centre, and to comply with the sequential approach, in accordance with Planning Policy Statement 4 – Planning for Sustainable Economic Growth (2009) and The London Plan (2011).

10 Before the first use of the development hereby permitted, a Delivery and Servicing Plan (DSP) shall be submitted to, and approved in writing by, the local planning authority. The approved DSP shall be adhered to throughout the operation of the store.

REASON: To manage the impact of the development upon the local area during its operation in the interests of public amenity and the local natural environment in accordance with Policy D4 of the Harrow Unitary Development Plan (2004).

11 The premises shall not be open for sale of goods to the public except between the hours of 06.00 to 23.00 Monday to Saturday and between 10.00 and 17.00 hours on Sundays and Bank Holidays. No sale of goods to the public shall take place at any other time except with the prior agreement in writing of the Local Planning Authority.

REASON: To safeguard the amenities of neighbouring residential occupiers, as required by saved policies D4 and EP25 of the Harrow Unitary Development Plan (2004).

12 Before the first use of the development hereby permitted, details of a barrier system and car park management measures to prevent the use of the whole of the car park in areas that are adjacent to existing and proposed residential properties, between the hours of 22:00 to 08:00 on Mondays to Saturdays, is submitted to, and approved in writing by, the local planning authority.

The development shall not be occupied or used until the works have been completed in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the amenities of neighbouring occupiers, as required by saved policies D4 and EP25 of the Harrow Unitary Development Plan (2004).

13 Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 Schedule 1, Class I, no advertisement shall be placed within one metre of any window or other opening through which it would be visible from outside the building from a distance of 19 metres (or any other distance agreed with the Local Planning Authority in writing) measured from the south-east corner of the building along its south-east facing frontage and all glazing within this zone shall only be installed as clear glazing which shall thereafter be retained in perpetuity and shall not be obstructed by furniture or other articles.

REASON: To safeguard the appearance of the locality in accordance with Policy D4 of the Harrow Unitary Development Plan (2004).

14 Before the first use of the development hereby permitted, and the residential flats are occupied, a scheme for:

a: the storage and disposal of refuse/waste

b: and vehicular access thereto

in relation to both the store and residential flats, shall be submitted to, and approved in writing by, the local planning authority. The development shall not be occupied or used until the works have been completed in accordance with the approved details and shall thereafter be retained.

REASON: To ensure adequate standards of hygiene and refuse/waste collection without prejudice to the enjoyment by neighbouring occupiers of their properties in accordance with Policy D4 of the Harrow Unitary Development Plan (2004).

15 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated 7 November 2011, reference 110207 Rev D by Pinnacle Consulting Ltd and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the 1 in 100 year critical storm so that it will not exceed 257 l/s as detailed in Table 6.1 and Table 6.2 of the FRA.

2. Provision of on-site surface water storage to accommodate the critical duration 1 in 100 year storm event, with an allowance for climate change.

3. Surface water storage to be achieved using sustainable drainage techniques including permeable paving.

The development shall not be occupied or used until the works have been completed in accordance with the approved details and shall thereafter be retained.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To prevent flooding elsewhere by ensuring that sufficient storage of surface flood water is provided.

16 The development hereby permitted shall not be commenced until the disposal of surface water and surface water attenuation / storage works have been provided in accordance with details to be submitted to, and approved in writing by, the local planning authority. The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To prevent the increased risk of flooding in accordance with the objectives set out under saved policy EP12 of the Harrow Unitary Development Plan (2004).

17 No goods, materials, plant or machinery shall be stored within the car park of the approved development without the prior written permission of the Local planning authority.

REASON: In the interests of amenity and to ensure that the areas dedicated for parking and servicing and landscaping within the site are retained, in accordance with saved policies D4 and T6 of the Harrow Unitary Development Plan (2004).

18 Before the first use of the development hereby permitted a Sustainability Strategy, detailing the method of achievement of Level 4 of the Code for Sustainable Homes (or successor) for the residential units and BREEAM Very Good (or successor) for the store extension, which includes details of siting, design and noise levels of any equipment, the reduction of baseline CO<sub>2</sub> emissions by 20%, and mechanisms for independent post-construction assessment, shall be submitted to and approved in writing by the Local Planning Authority. Within 3 months (or other such period agreed in writing by the Local Planning Authority) of the first occupation of the development a post construction assessment shall be undertaken for each phase demonstrating compliance with the approved Sustainability Strategy which thereafter shall be submitted to the Local Planning Authority for written approval.

REASON: To ensure the delivery of a sustainable development in accordance with PPS1 and its supplement Planning and Climate Change, Policies 5.1, 5.3A, 5.7B, 5.9B/C, 5.10C and 5.11A of The London Plan (2011), saved Policy D4 of the Harrow Unitary Development Plan (2004) and adopted Supplementary Planning Document Sustainable Building Design (2009).

19 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

REASON: To manage the impact of the development upon the local area during its construction in the interests of public amenity and the local natural environment in accordance with Policy D4 of the Harrow Unitary Development Plan (2004).

20 No development shall take place, including any works of demolition, until a Construction Logistics Plan (CLP) has been submitted to, and approved in writing by, the local planning authority. The approved CLP shall be adhered to throughout the construction period.

REASON: To manage the impact of the development in terms of the traffic movements upon the local area during its construction in the interests of public amenity and the local natural environment in accordance with Policy D4 of the Harrow Unitary Development Plan (2004).

21 The approved windows to the western elevation of the extension hereby approved by this planning permission, shall be fitted with obscure glazing and / or designed and fitted so as to ensure no direct overlooking of the adjacent residential properties on Hamilton Road occurs.

REASON: To safeguard the amenity of neighbouring residents, as required by saved policy D5 of the Harrow Unitary Development Plan (2004).

22 Before the first use of the development hereby permitted, a scheme of the provision of a public art to be installed on the application site, and in connection with the approved glazed stair tower, shall be submitted to, and approved in writing by, the local planning authority. The public art scheme shall be implemented in strict accordance with the approved details and retained thereafter, unless otherwise agreed in writing with the local planning authority.

23 Unless otherwise agreed in writing by the Local Planning Authority, the level of noise emitted from any new plant shall be lower than the existing background level by at least 10 LpA. Noise levels shall be determined at one metre from the window of the nearest noise sensitive premises. The measurements and assessments shall be made in accordance with B.S. 4142. The background noise level shall be expressed as the lowest LA90 during which plant is or may be in operation. A report demonstrating compliance with this condition must be submitted to and approved in writing by the Local Planning Authority before the plant hereby approved comes into operation.

The installation should further not emit tones or other specific sounds, which might cause subjective disturbance. To this end, a frequency spectrum or noise rating curve for the (proposed) plant should be part of the report. If this standard cannot be achieved, the best achievable result can be submitted for consideration, along with the grounds for not achieving the initial criteria.

REASON: To protect nearby noise sensitive premises from significant loss of amenity due to noise in accordance with saved policies D4 and EP25 of the Harrow Unitary Development Plan (2004).

## **INFORMATIVES**

### **1 SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:**

It is considered that the proposed extension to the Tesco retail store would result in the appropriate development of the site, creating significant employment opportunities, whilst supporting the role of Harrow Town Centre as a regionally significant Metropolitan Centre. The proposals would encourage the regeneration of Harrow whilst having an acceptable impact upon the appearance and character of the site and neighbours' living conditions, having regard to guidance contained in the relevant guidance contained in National Planning Policies and Planning Statements, the policies and proposals of The London Plan 2011 and the saved policies of the Harrow Unitary Development Plan 2004 set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:

The decision to grant permission has been taken having regard to national planning policies, the policies and proposals in the London Plan and the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:

**National Planning Policy:**

Planning Policy Statement 1 – Delivering Sustainable Development (2005)  
Planning Policy Statement 3 – Housing (2011)  
Planning Policy Statement 4 – Planning for Sustainable Economic Growth (2009)  
Planning Policy Guidance 13 – Transport (2001)  
Planning Policy Statement 24 – Noise (1994)  
Planning Policy Statement 25 – Development and Flood Risk (2010)  
Draft National Planning Policy Framework (2011)

**The London Plan (2011):**

2.7 – Outer London: Economy  
2.13 – Opportunity areas and intensification areas  
2.15 – Town Centres  
3.1 – Ensuring equal life chances for all  
3.3 – Increasing housing supply  
3.4 – Optimising housing potential  
3.5 – Quality and design of housing developments  
3.8 – Housing Choice  
3.9 – Mixed and balanced communities  
3.11 – Affordable Housing Targets  
3.12 – Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes  
4.1 – Developing London’s Economy  
4.7 – Retail and town centre development  
4.8 – Supporting a successful and diverse retail sector  
4.9 – Small shops  
4.12 – Improving Opportunities for all  
5.1 – Climate change mitigation  
5.2 – Minimising carbon dioxide emissions  
5.3 – Sustainable design and construction  
5.7 – Renewal energy  
5.9 – Overheating and cooling  
5.10 – Urban greening  
5.11 – Green roofs and development site environs  
5.12 – Flood risk management  
6.1 – Strategic approach  
6.2 – Assessing effects of development on transport capacity  
6.9 – Cycling  
6.10 – Walking  
6.13 – Parking  
7.1 – Building London’s neighbourhoods and communities  
7.2 – An inclusive environment  
7.3 – Designing out crime  
7.4 – Local character

- 7.6 – Architecture
- 7.7 – Location and design of tall and large buildings
- 7.13 – Safety, security and resilience to emergency
- 7.14 – Improving air quality
- 7.15 – Reducing noise and enhancing soundscapes
- 8.1 – Implementation
- 8.2 – Planning obligations

**Harrow Unitary Development Plan (2004):**

- S1 – The Form of Development and Pattern of Land Use
- SEM1 – Development and the Boroughs Regeneration Strategy
- SEM2 – Hierarchy of Town Centres
- D4 – The Standard of Design and Layout
- D5 – New Residential Development – Amenity Space and Privacy
- D9 – Streetside Greenness and Forecourt Greenery
- D23 – Lighting
- H7 – Dwelling Mix
- EM24 – Town Centre Environment
- T6 – The Transport Impact of Development Proposals
- T13 – Parking Standards
- EP12 – Control of Surface Water Run-Off
- EP25 – Noise
- C16 – Access to Buildings and Public Spaces
- C17 – Access to Leisure, Recreation, Community and Retail Facilities

**Emerging Core Strategy 2011-2026:**

- CS1.L
- CS2.H

**Other Relevant Guidance:**

- Supplementary Planning Document: Residential Design (2010)
- Supplementary Planning Document: Accessible Homes (2010)
- Supplementary Planning Document: Access for All (2006)
- Supplementary Planning Document Sustainable Building Design (May 2009)
- Code of Practice: Refuse Storage and Collection of Domestic Refuse (March 2008)

**2 CONSIDERATE CONTRACTOR CODE OF PRACTICE:**

The applicant's attention is drawn to the requirements in the attached Considerate Contractor Code of Practice, in the interests of minimising any adverse effects arising from building operations, and in particular the limitations on hours of working.

**3 PARTY WALL ACT:**

The Party Wall etc. Act 1996 requires a building owner to notify and obtain formal agreement from adjoining owner(s) where the building owner intends to carry out building work which involves:

1. work on an existing wall shared with another property;
  2. building on the boundary with a neighbouring property;
  3. excavating near a neighbouring building,
- and that work falls within the scope of the Act.

Procedures under this Act are quite separate from the need for planning permission or building regulations approval.

“The Party Wall etc. Act 1996: Explanatory booklet” is available free of charge from:  
Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB

Please quote **Product code:** 02 BR 00862 when ordering

Also available for download from the CLG website:

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/133214.pdf>

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: [communities@twoten.com](mailto:communities@twoten.com)

#### 4 THAMES WATER:

There may be public sewers crossing / adjacent to the site, so any building within 3m of the sewers will require an agreement with Thames Water Utilities. The applicant should contact the Area Service Manager, Mogden, at Thames Water Utilities at the earliest opportunity, in order to establish the likely impact of this development upon the sewerage infrastructure. Tel: 0645 200 800

#### 5 PERMEABLE PAVING:

Note: guidance on permeable paving has now been published by the Environment Agency on

<http://www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens>

#### 6 COMPLIANCE WITH PLANNING CONDITIONS:

**IMPORTANT:** Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences

- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.
- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.
- Beginning development in breach of a planning condition will invalidate your planning permission.

If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

Plan Nos: M1024 PL 01 Rev R, M1024 PL 02 Rev P, M1024 PL 03 Rev E, M1024 PL 06 Rev A, M1024 PL 07 Rev A, M1024 PL 09 Rev H, M1024 PL 10 Rev A, M1024 PL 11 Rev A, M1024 PL 12, Rev N, M1024 PL 13 Rev K, M1024 PL 14 Rev H, M1024 PL 15 Rev A, M1024 PL 17 Rev J, M1024 PL 18 Rev C, M1024 PL 19 Rev B, M1024 PL 20 Rev D, Design and Access Statement, Landscape Strategy, Transport Statement, Travel Plan, Noise Report, Energy Statement, Flood Risk Assessment

**PART OF FORMER GOVERNMENT OFFICES P/2450/11  
SITE (STANMORE PLACE), HONEYPOT LANE,  
STANMORE, HA7 1BB**

Ward: CANONS

REDEVELOPMENT TO PROVIDE 213 FLATS AND 959 SQ M OF A1/A2/A3/A4/A5/D1/D2 FLOORSPACE IN FOUR, FIVE AND SIX STOREY BLOCKS WITH LOWER GROUND FLOOR; ASSOCIATED LANDSCAPING AND CAR PARKING (AMENDMENTS TO PHASES 7, 8 AND 9 OF THE DEVELOPMENT APPROVED UNDER PLANNING REFERENCE P/2317/06 (ALLOWED ON APPEAL 12/11/2007) COMPRISING ADDITIONAL FLOORS TO BLOCKS PN, PQ, PS, PT AND PU, ADDITION OF LOWER GROUND FLOOR TO BLOCK PU, AMENDMENTS TO EXTERNAL APPEARANCE AND AMENDMENTS TO THE SIZE AND ARRANGEMENT OF FLATS RESULTING IN A REDUCTION IN THE TOTAL NUMBER OF RESIDENTIAL UNITS ON THE SITE AS A WHOLE FROM 798 TO 764)

**Applicant:** St Edward Homes  
**Agent:** Turley Associates  
**Case Officer:** Nicholas Ray  
**Statutory Expiry Date:** 16-DEC-11

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## RECOMMENDATION A

**GRANT** planning permission subject to referral to the Greater London Authority, conditions and the completion of a Section 106 agreement by 31<sup>st</sup> March 2012. Authority to be given to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the sealing of the Section 106 agreement and to agree any minor amendments to the conditions or the legal agreement. The Section 106 agreement Heads of Terms are set out below:

- i) **Education Contribution:** The developer to contribute £50,000 towards the provision of education in the Borough;
- ii) **Healthcare Contribution:** The developer to contribute £12,600 towards the provision of healthcare in the Borough;
- iii) **Stanmore Marsh Works Contribution:** The developer to contribute £225,000 towards play/recreation space, drainage, ecology and landscape improvement works to the nearby Stanmore Marsh open space;
- iv) **Construction Skills and Training:** The developer to provide a plan for the recruitment and training of local construction workers;
- v) **Planning Administration Fee:** Payment of a planning administration fee of £7,200;
- vi) **Legal Fees:** Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.

## REASON

The proposed amendments to the existing development would improve the standard of accommodation across the later phases of the scheme and, whilst the total number of units would be reduced, the proposal would increase the amount of family sized units within the development.

The visual impact of the additional floors proposed would be acceptable in design and amenity terms and would not result in a significant adverse impact when viewed from outside the site. The associated impacts in terms of school and medical services capacity would be adequately ameliorated through the s.106 contributions set out above and a contribution has also been agreed for improvements to the nearby public open space at Stanmore Marsh. Conditions are imposed to adequately mitigate against the other likely impacts of the proposal. The application is therefore found to be consistent with the policies and proposals set out in National Planning Guidance, The London Plan (2011), the saved policies of the Harrow Unitary Development Plan (2004) and the Emerging Core Strategy set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report.

### **RECOMMENDATION B**

That if the Section 106 Agreement is not completed by 16<sup>th</sup> December 2011 then it is recommended to delegate the decision to **REFUSE** planning permission to the Divisional Director of Planning on the grounds that:

The proposed development, in the absence of a legal agreement to secure contributions towards open space improvements, healthcare and education, would fail to adequately mitigate the impact of the development, thereby being contrary to saved policies EP47 and EP48 of the Harrow Unitary Development Plan (2004) and policy 3.6 of The London Plan (2011).

#### **National Planning Policy:**

PPS1 – Delivering Sustainable Development

PPS3 – Housing

PPS9 – Biodiversity and Geological Conservation

PPG13 – Transport

PPG17 – Planning for Open Space, Sport and Recreation

PPS25 – Development and Flood Risk

#### **Draft National Planning Policy Framework 2011 (NPPF):**

The Government has issued a Draft National Planning Policy Framework [NPPF] that consolidates national planning policy. This has been considered in relation to this application, but it carries limited weight at this stage of the consultation process as it is in draft form and subject to change. Existing national planning policy remains and carries substantial weight and the NPPF does not propose any change in existing national policy relative to the issues of this application.

#### **The London Plan 2011:**

3.5 – Quality and Design of Housing Developments

3.6 – Children and Young People’s Play and Informal Recreation Facilities

3.8 – Housing Choice

3.11 – Affordable Housing Targets

3.12 – Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes

5.2 – Minimising Carbon Dioxide Emissions

5.3 – Sustainable Design and Construction

5.6 – Decentralised Energy in Development Proposals  
5.7 – Renewable Energy  
6.3 – Assessing Effects of Development on Transport Capacity  
6.13 – Parking  
7.2 – An Inclusive Environment  
7.4 – Local Character  
7.6 – Architecture  
7.19 – Biodiversity and Access to Nature  
7.21 – Trees and Woodlands  
Interim London Housing Design Guide (2011)  
Supplementary Planning Guidance: Providing for Children and Young People’s Play and Informal Recreation (2008)

#### **London Borough of Harrow Unitary Development Plan 2004**

EP12 – Control of Surface Water Run-Off  
EP20 – Use of Previously Developed Land  
EP25 – Noise  
EP26 – Habitat Creation and Enhancement  
EP27 – Species Protection  
EP28 – Conserving and Enhancing Biodiversity  
EP47 – Open Space  
EP48 – Public Open Space  
D4 – The Standard of Design and Layout  
D5 – New Residential Development – Amenity Space and Privacy  
D9 – Streetside Greenness and Forecourt Greenery  
T6 – The Transport Impact of Development Proposals  
T13 – Parking Standards  
C16 – Access to Buildings and Public Spaces  
Supplementary Planning Document: Sustainable Building Design (2009)  
Supplementary Planning Document: Accessible Homes (2010)  
Supplementary Planning Document: Residential Design Guide (2010)

#### **London Borough of Harrow Emerging Core Strategy 2011**

Core Policies – CS1 and CS8

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#### **MAIN CONSIDERATIONS AND POLICIES (National Policy, The London Plan 2011, saved policies of The London Borough of Harrow Unitary Development Plan 2004 and the Emerging Core Strategy 2011)**

- 1) Principle of the Development**  
PPS1, PPS3, EP20
- 2) Character and Appearance of the Area**  
PPS1, PPS3, 3.5, 7.4, 7.6, D4, D9, SPD, CS1
- 3) Residential Amenity**  
EP25, D5, SPD
- 4) Open Space and Recreation Provision**  
3.6, SPG, EP47, EP48, CS1, CS8
- 5) Trees and New Development**  
7.21, D10

- 6) **Traffic and Parking**  
PPG13, 6.3, 6.13, T6, T13
- 7) **Accessible Homes**  
3.8, 7.2, C16, SPD
- 8) **Affordable Housing**  
PPS3, 3.11, 3.12, CS1
- 9) **Sustainability**  
5.2, 5.3, 5.6, 5.7, SPD
- 10) **Ecology and Biodiversity**  
PPS9, 7.19, EP26, EP27, EP28, CS1, CS8
- 11) **Development and Flood Risk**  
PPS25, EP12
- 12) **S17 Crime & Disorder Act**  
D4, SPD
- 13) **S.106 Obligations**
- 14) **Consultation Responses**

## **INFORMATION**

This application is reported to Planning Committee as it is a major application recommended for approval and therefore falls outside the scheme of delegation.

### **a) Summary**

Statutory Return Type: Largescale Major Dwellings  
Density: 121 units/ha, 382 hr/ha  
Lifetime Homes: 213  
Council Interest: None

### **b) Site Description**

- The site comprises a 1.8 hectare section of the Former Government Offices development site (now known as Stanmore Place), situated between Honeypot Lane and the Jubilee Line railway.
- The development is progressing on site pursuant to planning permission reference P/2317/06 (allowed on appeal 12<sup>th</sup> November 2007, reference APP/M5450/A/06/2032152) for 798 residential units, 959sqm Class A1/A2/A3/A4/A5/D1/D2 floorspace, 7,927sqm of Class B1 floorspace (including business incubator centre) with associated access, flood alleviation, landscaping, parking and highway works.
- This application relates to the south eastern part of the site, which comprises phases 7, 8 and 9 of the scheme (blocks PN, PQ, PS, PT, PU and PR, consented as 247 flats and 959sqm Class A and D floorspace arranged in four storey blocks around new streets and open spaces).
- To the south of the site is the industrial and business area on Parr Road.
- To the west, beyond the wider development site, is Honeypot Lane and the main access to the site.
- To the north is Whitchurch Lane, where neighbouring dwellings back on to the site and where there is a secondary access to the site.
- To the east of the site, on the other side of the Jubilee Line railway embankment, is The Hive Football Centre, an open air sports facility.

- Canons Park Underground Station is located to the north east of the site, on Whitchurch Lane.
- The adjacent Jubilee Line railway embankment is a site of importance for nature conservation and is occupied by some mature trees.

**c) Proposal Details**

This application proposes amendments to the existing approval on the site, in relation to phases 7, 8 and 9. The application proposes amendments to the mix of flats within this part of the scheme, resulting in a reduction in the number of flats from 247 to 213, with a general increase in the size of the flats. The physical changes to the development are outlined below under the block numbers denoted on submitted plan (PL)05:

Block PN

- Addition of fifth storey set 2.3 metres from the west north and south elevations, and 1.8 metres from the east elevation.
- The surrounding roof area would serve as amenity space for the occupiers of the fifth floor flats.
- The additional floor would be 2.2 metres higher than the approved parapet level.
- The fifth floor would have a flat roof, projecting eaves and would be constructed of timber and glazing.

Block PQ

- Addition of fifth storey set 1.8 metres from all elevations.
- The surrounding roof area would serve as amenity space for the occupiers of the fifth floor flats.
- The additional floor would be 2.2 metres higher than the approved parapet level.
- The fifth floor would have a flat roof, projecting eaves and would be constructed of timber and glazing.

Block PS

- Addition of fifth storey set 3.6 metres from the west elevation, 1.8 metres from the north and south elevations and 2.0 metres from the east elevation.
- The surrounding roof area would serve as amenity space for the occupiers of the fifth floor flats.
- The additional floor would be 2.2 metres higher than the approved parapet level.
- The fifth floor would have a flat roof, projecting eaves and would be constructed of timber and glazing.

Block PT

- Addition of fifth storey set 1.8 metres from the east, north and south elevations, and 1.8 metres from the west elevation incorporating a recessed area further set in by 3.0 and 4.0 metres.
- The surrounding roof area would serve as amenity space for the occupiers of the fifth floor flats.
- The additional floor would be 2.2 metres higher than the approved parapet level.
- The fifth floor would have a flat roof, projecting eaves and would be constructed of timber and glazing.

Block PU

- Addition of two floors to the top of the block, the fifth storey being set 800mm back from the main front elevation and the sixth floor comprising a curved roof design with projecting eaves below.
- The height of the block would increase by 5.3 metres when measured from the front eaves of the consented scheme and 2.8 metres when measured from the rear.
- The fifth floor would be constructed of timber and glazing, whilst the sixth floor would be clad with metal.
- Addition of lower ground floor with front patio recesses and private amenity space to the rear.
- Amendments to floating wall, window and balcony arrangements.

Blocks PV and PR

- Amendments to window and balcony arrangements.

**d) Relevant History**

P/2317/06/CFU	Redevelopment to provide 798 residential units (including 40.2% affordable housing) 959m <sup>2</sup> class A1/A2/A3/A4/A5/D1 & D2 floorspace; 7927 sq m of class B1(a),(b),(c) floorspace including a business incubator centre; creation of a new access onto Whitchurch Lane; associated flood alleviation, landscaping, car parking and highway works	APPEAL ALLOWED 12-NOV-07
P/0986/11	Non-material amendment to planning permission P/2317/06/CFU dated 12/11/2007 for revised layouts and alterations to the elevations of blocks PL and PM; reduction of total number of units from 798 to 790	GRANTED 03-MAY-11
P/3077/11	Non-material amendment to planning permission P/2317/06/CFU (allowed on appeal dated 10/01/2007) to amend internal layouts of first floor of block PF, including amending flat 1.1.3 from a 3 bed unit to a 2 bed unit	GRANTED 07-DEC-11

**e) Pre-Application Discussion (HA\2011\ENQ\00054)**

The pre-application advice comments are summarized below:

Blocks PN, PQ and PS

- The scale of the proposed additions is considered appropriate, as are projecting eaves features.
- The timber used should be sustainably sourced and well treated, as in other parts of the scheme.

- The parapet walls should be re-arranged to ensure that the higher parapet walls are adjacent to the gaps between the blocks, as per the consented arrangement.
- The use of glazing between the parapet walls is also considered appropriate.
- Further work is also required to improve the fenestration so that it is more like the consented scheme, i.e. more irregular and reflective of original 'townhouse' style concept.
- There is potential for an unacceptable loss of privacy between the new units at fourth floor level, given the distance between the roof terraces.

#### Block PT

- It is proposed to add an additional floor to this block, which houses community/nursery uses as well as housing, with a set back on the eastern elevation.
- Officers are of the opinion that this would result in a building of excessive scale.
- It was suggested that this block is conceived as a central 'pavilion' building within this space, but it was unclear how this gave weight to the proposal as presented.
- The height of the additional floor is also considered to be excessive. Accordingly, we remain unconvinced that this additional storey could be supported, without a set in on all sides and a reduction in height, as per the alterations to the other blocks.

#### The Crescent Block – Additional Floors Above Existing Block

- As previously stated, it is felt by officers that a single additional floor, set back from the front elevation in a similar fashion to the proposals for the other blocks could be considered acceptable.
- Applicant argued that the curved roof design would ameliorate the visual impact of the second additional storey and would enable the accommodation at this level to be set well back.
- Applicant considered that this sixth storey would not be visible from street level. Officers disagreed and this view is supported by the 3D images that show it to be clearly visible.
- It would also be partly visible in views from outside the site. The curved roof design is also not a feature of other buildings within the scheme and, together with the changes to the apparent scale of the building, could detract from the character and appearance of the development.
- Accordingly, officers still remain unconvinced that two additional floors of accommodation could be supported as acceptably addressing the objectives of saved policy D4 of the Harrow UDP and London Plan policy 4B.1.

#### The Crescent Block – Basement/Lower Ground Level

- In response to previous comments relating to the relationship between the communal gardens and basement flats in terms of privacy it is noted that, subject to an appropriate landscape strategy, an acceptable arrangement could be devised.
- However, concerns still remain in relation to outlook from these units, particularly those closest to the eastern boundary with the Jubilee Line. The closest flats would be 9.1 metres from this boundary and the photographs and diagrams included in your Report do not accurately depict this relationship.

- The dense bank of trees would not present a good outlook, as they could be potentially oppressive and overbearing, given their height and scale.

**f) Applicant Statements**

- Design and Access Statement.
- Planning Statement.
- Transport Assessment Report.
- Daylight and Sunlight Report
- Visual Impact Assessment.
- Ecological Assessment.
- Site Waste Management Plan.
- Flood Risk Assessment.
- Energy Strategy.
- Statement of Community Involvement.

**g) Consultations:**

**Highways Engineer:** As this is effectively an amendment to the extant permission with a reduction in unit numbers, the reduction in vehicle and pedestrian activity is welcomed. As traffic generation was previously deemed acceptable with a new signalised junction at Honeypot Lane/Whitchurch Lane, no further mitigation would be required. Theoretically in this location, the parking allowance should be reduced by approximately 30 spaces, however there are concerns from local residents about displacement of parking into surrounding roads, so it is considered appropriate to maintain the approved parking spaces. Electric vehicle charging points should be provided for 20% of spaces. Additional secure cycle spaces should be increased from 213 to 286. A travel plan and construction logistics plan should be required by condition.

**Landscape/Tree Officers:** Conditions should be imposed requiring details of landscaping to be submitted and approved prior to commencement.

**Drainage Officer:** Conditions requested relating to surface water storage and disposal, and sewage disposal.

**Environment Agency:** The submitted Flood Risk Assessment is acceptable.

**Greater London Authority Stage 1 Response:** Development does not comply with the London Plan. Concerns relate to play provision, inclusive access, sustainability and transport. If minded to approve, the application would need to be referred back to the Mayor under Stage 2.

**Biodiversity Officer:** Bird/bat boxes and green roofs should be incorporated into the design. Conditions on landscaping should be imposed and SUDS should be installed where possible.

**London Underground (Infrastructure):** No comments.

**Adjoining Authority (Brent):** No objection.

**Adjoining Authority (Barnet):** No objection.

**Site Notice:**  
Major Development

05-OCT-11

Expiry: 26-OCT-11

**Advertisement:** 29-SEP-11 Expiry: 20-OCT-11  
Major Development

**Notifications:**  
Sent: 1559 Replies: 11 Expiry: 28-JUL-11

**Addresses Consulted:**

Consultations carried out as per original application (ref P/2317/06/CFU).

**Summary of Response:**

Summary of response from **Canons Park Residents Association:**

- 1) *Over-development:* Concern that the existing scheme makes the maximum use of the site in an already dense scheme – the proposals would exacerbate this over-development.
- 2) *Density:* Whilst the dwellings per hectare density would decrease, the increase in habitable room density would be unacceptable.
- 3) *Visual Impact:* The impact of the additional floors would be significant from surrounding locations, particularly from the Jubilee Line, Canons Park Station and Prince Edward Playing Field. The scheme is already claustrophobic to walk around and this would be worsened. Many of the basement flats would receive little sunlight.
- 4) *Impact on Local Infrastructure:* There would be insufficient green space for children's play. Local electric, gas and water infrastructure would be affected. Schools and medical facilities are already oversubscribed. Displacement of parking to surrounding areas is already a problem and this would worsen.
- 5) *Meeting Housing Needs:* The larger flats would be targeted at the luxury market and would not serve a local need. No additional affordable housing would be provided.

Summary of remaining objections:

- Would increase traffic congestion in the area;
- Concern that local public transport would not be able to cope;
- Not enough public services and infrastructure to cope with the new development;
- Concerns over visual impact on increased height;
- Impact on views from neighbouring properties;
- Concern over potential for additional noise and disturbance to neighbours;
- There are currently a number of empty properties in the development and the area and there is therefore no justification to build more;
- Local schools are oversubscribed and this would worsen;
- The proposed increase in scale has been refused before;
- Stanmore is already overpopulated;
- Concern over potential increase in crime rates; and
- Additional open/green space should be provided in the area.

## APPRAISAL

### 1) Principle of the Development

The redevelopment of the site is progressing pursuant to planning permission P/2317/06/CFU (allowed on appeal 12<sup>th</sup> November 2007) and this can therefore be lawfully completed. The principle of the redevelopment of the site is therefore accepted. There is no in principle objection to amendments being made to the approved scheme, provided that these amendments do not result in an unacceptable impact on the character and appearance of the area or residential amenity, and that the associated impacts of the proposals are adequately mitigated. These matters are addressed in detail in the below sections. In particular, the principle of the proposed rearrangement of the flats in phases 7, 8 and 9 to increase the size of units proposed is supported in principle, as it would improve the living conditions of future occupants of the development. The Emerging Core Strategy Development Plan Document is also a relevant material consideration, in particular core policies CS1 and CS8.

### 2) Character and Appearance of the Area

Saved UDP policy D4 states that 'buildings should respect the form, massing, composition, proportion and materials of the surrounding townscape, and attention should be paid to the urban "grain" of the area in terms of building form and patterns of development'. London Plan policy 7.4 states that 'buildings, streets and open spaces should provide a high quality design response that is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings'.

This application proposes amendments to phases 7, 8 and 9 of the scheme, as detailed above. These phases are located in the south-eastern part of the development and are generally sited away from neighbouring residential properties. The development is currently progressing on site and a number of the earlier phases are completed and occupied. Phases 1 and 2 of the scheme have won a Building for Life Gold Award and the development is recognised as a successful example of higher density suburban living. The final phases of the approved scheme, to which this application relates, contain mainly smaller units and the proposal is essentially to increase the floorspace in this part of the scheme, to facilitate a rearrangement of the type and size of flats, as set out in the below table. The amendments to each block are addressed in detail below, in relation to their visual impact on the character and appearance of the area.

	Studios	1 Bed Flats	2 Bed Flats	3 Bed Flats	Houses	Total
<b>Consented Scheme (Total)</b>	31	322	287	102	56	798
<b>Consented Phases 7, 8 and 9</b>	31	118	69	29	0	247
<b>Proposed Phases 7, 8 and 9</b>	0	40	100	73	0	213
<b>Proposed Scheme (Total)</b>	0	244	318	146	56	764

### Blocks PN, PQ and PS

These three blocks are arranged around the eastern end of the central courtyard area of the scheme. They comprise four storey blocks of flats arranged in a series of bays with different parapet heights, giving the impression of a row of townhouses. It is proposed to add an additional storey to each of these blocks. This storey would be set back from the approved parapet level, so that the flat roofed areas surrounding the resulting fifth storey would serve as amenity areas for the occupiers of these flats. The additional storey would be constructed of timber and glazing, with a projecting eaves feature. The contrasting materials are considered to be appropriate and the visuals provided in the design and access statement demonstrate that the set backs proposed would result in a building with an appropriate scale in relation to the streets and spaces surrounding these blocks. The glazed balustrades proposed between the raised parapets would ensure that the townhouse style of this part of the scheme would be maintained. These additional storeys would not be overly visible from outside the site. It is therefore considered that these proposed amendments would have an acceptable impact on the character and appearance of the scheme and the wider area.

### Block PT

This four storey block sits in the 'village green' open space in the eastern part of the scheme, opposite the crescent block. It comprises the community uses at ground floor level with flats above. It is proposed to add an additional storey to this block, in a similar manner to that proposed to blocks PN, PQ and PS. Again, the extra storey would be constructed of contrasting materials and would be well set back from eaves level, which has been amended in response to concerns raised during pre-application discussions. The visuals submitted confirm that this additional scale would not be overbearing in the street scene, nor would it be overly visible from outside the site. It is therefore considered that these proposed amendments would have an acceptable impact on the character and appearance of the scheme and the wider area.

### Block PU (The Crescent Block)

The crescent block frames the eastern edge of the 'village green' space, but also faces the Jubilee Line railway embankment to the east, being approximately 10 metres from this boundary of the site at its closest point. In design terms, it is intended as a more imposing element of the scheme than the other buildings. It is the only block within the consented scheme to project above four storeys, by virtue of the approved pitched roof, which when viewed from the rear would give the building a five storey appearance. As approved, the rear communal garden level would slope down from the rear of the building to the rear boundary.

An additional two storeys are proposed to the top of the this block, one clad in timber with a modest set back and the other taking the form of a curved metal roof storey, punctured with roof terraces. An additional lower ground floor is proposed below the crescent, involving alterations to the rear garden levels to allow this storey to be fully open to the rear, with lightwells to the front. These amendments would result in the crescent block increasing in height by 5.3 metres taken from the front parapet and 2.8 metres when taken from the rear. The increase in habitable accommodation would be apparent from the rear when viewed from the Jubilee Line.

The visuals provided indicate that, unlike the other amendments proposed, the proposals for the crescent block would result in a noticeable increase in scale, particularly in views from within the scheme. However, it is noted that the block defines a public space, rather than a narrow street and the Council's SPD (para 4.9) recognises that innovative treatment of such edges is critically important. It would generally be expected that taller buildings, or buildings with different roof design rationale, would be located in areas where activity is expected to be concentrated. Notwithstanding initial concerns raised by officers during pre-application discussions, it is therefore considered following a more detailed assessment of the scheme in the context of the surrounding area, that the principle of an alternative design for the crescent block can be accepted in this location, which would form the principle area of public open space within the scheme.

The additional floors would be in form of a slightly recessed timber and glazed storey with a curved metal roof over, which would not form a full habitable storey, with flats to be located centrally with roof terraces punctured into the curved roof. The additional scale is considered appropriate in terms of how it is viewed from within the scheme, with the contrasting materials and the recessed form of the curved storey providing visual relief. It is also noted that the scale of the building complies with the ratios set out in the Urban Design Compendium for a building located adjacent to such a space.

Whilst the curved roof form would be different to the flat roofs employed on other buildings within the scheme, it would reflect crescent buildings in historic precedents for townhouse style developments, as set out in the submitted Design and Access Statement. The curved roof would angle away from the space and it is considered that the proposed roof form would result in a perceived lightening effect when viewed from street level, lessening the impact of this additional storey.

A Visual Impact Assessment has been submitted, which includes all the views considered as part of the original application. In terms of the wider views of the site from the Harrow Weald ridge etc, the revised proposals would not materially affect the visual impact of the scheme. The additional storeys proposed, particularly the crescent block, would be visible from some localised views, including from Canons Park station platform, from Whitchurch Lane and from the Camrose Avenue entrance to The Hive Football Centre. Two other views have been modelled during the course of this application, one from within The Hive and one from Whitchurch Lane, adjacent to the railway bridge. Whilst the alterations to the crescent block would be visible from these localised viewpoints, it is considered the increase in scale when viewed from outside the site would not be significant, due to the modest increase in height of 2.8 metres in addition to the approved 14.5 metres, which would consist of the curved roof feature. It is therefore considered that the visual impact of the scheme on the wider area would be acceptable in the context of the approved development.

The proposed lower ground floor and reduction in garden levels at the rear of the crescent block would make the overall scale of the amended building more apparent when viewed from the Jubilee Line, due to the increase in the number of habitable storeys.

However, users of the tube would only experience glimpsed views of this elevation from moving trains and the building would also be seen in the context of the adjacent industrial estate. The proposed lightwells to the front of the building would not result in an unacceptable appearance. It is therefore considered that this part of the proposal would be acceptable in this regard.

In summary, it is considered that the additional storeys to the crescent block would be acceptable in design and appearance terms. The minor changes to the window, balcony and floating wall arrangements would also be acceptable in the context of the revised design.

#### Blocks PV and PR

These blocks form the eastern edge of the consented development, running north towards the dwellings on Whitchurch Lane. This application proposes minor changes to the window and balcony arrangements to facilitate the revised internal arrangements. These changes are considered to be minor and would not be objectionable in design terms.

In summary, officers consider that the design rationale for the proposed amendments to phases 7, 8 and 9 is sound. The proposed amendments would facilitate an improvement in the size and mix of flats in this part of the scheme, whilst not compromising the design integrity of this award winning development. The additional storeys would be largely contained within the scheme, away from neighbouring residential properties, and the visual impact of the additional floors that would be visible from outside the site would be acceptable. The proposal would therefore be consistent with the design objectives of saved UDP policy D4, the Council's SPD and the design policies of The London Plan in this regard. The proposal is also considered to be consistent with the objectives of the Emerging Core Strategy, which seeks to ensure, amongst other things, that proposals respond positively to local context, whilst promoting innovative design and do not harm identified views or public viewpoints. Conditions are recommended in relation to the submission of landscaping details and samples of materials.

#### ***Refuse Storage***

Refuse storage facilities would be retained in broadly the same locations within the blocks as the approved scheme, which would provide a convenient location for collection. Given the reduction in the number of units proposed, there would not be an issue with regard to capacity.

### **3) Residential Amenity**

The proposed additional floors would be sited at least 70 metres from the boundaries of the nearest residential properties that abut the development and the additional scale of building proposed would therefore not unduly impact on light to, or outlook from these properties. The amendments to blocks PV and PR would not result in a material increase in the level of overlooking as compared to the consented scheme. The nearest residential properties on Whitchurch Lane are some 70 metres away from the proposed additional floor to the crescent block and, given this distance, it is considered that unacceptable overlooking of neighbouring properties would not result.

It is noted that the revised mix of units could potentially result in additional occupancy in this part of the scheme, however it is considered that this would not result in unacceptable levels of noise and disturbance to neighbouring occupiers, in the context of the consented scheme.

As discussed, the proposed amendments to the mix of units would result in improved unit sizes, with all flats being compliant with the space standards set out in the Interim London Housing Design Guide and the Council's Residential Design SPD. The flats would also have a better vertical arrangement within the blocks, thereby reducing the potential for unacceptable noise transmission. The standard of accommodation would therefore be improved and the amenities of future occupiers would be adequate in this regard. It is also considered that noise and vibration from the Jubilee Line would not have a materially greater impact, despite the addition of the lower ground floor to the crescent block.

A Daylight and Sunlight Report has been submitted, which confirms that the occupiers of all flats would experience adequate light. The outlook from the proposed flats would be similar or improved compared to the extant approval, with the exception of the lower ground floor units in the crescent block, which would be a storey lower than approved and would face out to the communal garden with the Jubilee Line embankment beyond, which incorporates mature vegetation. The closest units to the rear boundary would be single aspect and 10 metres away, whilst the other units would have greater separation distances, or would be dual aspect by virtue of the front lightwells, with all habitable rooms having large windows. The two flats closest to the rear boundary would be arranged in such a way that each habitable room would have at least one large window/glazed door to the rear elevation and the flats would have a wide garden frontage. This arrangement would maximise the amount of outlook from these units and on balance, given the conclusions of the Daylight and Sunlight Report, it is considered that the arrangement would result in acceptable living conditions for future occupiers.

The majority of flats within the revised scheme would have their own private balconies, terraces or roof terraces, which would provide an acceptable standard of amenity space throughout the scheme. The flats without balconies would have more generous internal space and the smaller flats would generally have larger balconies. Overall, the level of private amenity space would be acceptable and would be an improvement on the consented scheme. A communal garden would also be provided at the rear of the crescent block, similar to the consented scheme and the central courtyard. This would provide welcome communal green space for occupiers of the crescent. Subject to details of landscaping between the communal garden and the private terraces serving the lower ground floor units, it is considered that these occupiers would have an adequate level of privacy, akin to similar arrangements within earlier phases of the scheme. This would also be the case with regard to the flats with front lightwells. There is a concern that mutual overlooking could result between the roof terraces of blocks PN, PQ, PS and PT, given the minimal separation distances. However, this could be overcome by the installation of glazed balustrades in appropriate locations and a condition is recommended to secure this.

In summary, the revised scheme would have an acceptable impact on the amenities of neighbouring occupiers and the future occupiers of the development would have acceptable living conditions.

**4) Open Space and Recreation Provision**

Concerns have been raised by local residents and the GLA in relation to the lack of provision of play and recreation space within the development. It is noted that this was also a matter of concern during the appeal relating to the original scheme, although the Inspector concluded that the amount of play space provided would be acceptable, given the s.106 contribution to off-site play space improvements and the general availability of open space, both for formal and informal recreation, in the locality.

However, it is noted that the proposed amendments to the scheme would result in additional family units and therefore a likely increase in the number of children occupying the development. It is therefore considered appropriate to seek an additional contribution towards open space/recreation improvements.

The Stanmore Marsh open space is located adjacent to the north west corner of the development and it would be expected that the scheme would result in increased footfall to this area, as the open spaces within the scheme are limited. The developer has agreed to contribute £225,000 towards improvement works to be carried out to Stanmore Marsh. The Council is proposing to undertake landscape improvements, remove watercourses from culverts and re-introduce some wetland environments to this area. It is also envisaged that amenity and recreation space would be provided as part of this project, which would serve as a breakout area for occupants of the Stanmore Place development and would link into the approved footpath between the scheme and the Whitchurch Lane/Honeypot Lane junction.

The proposed works at Stanmore Marsh would also have benefits in relation to flood risk management, water quality and biodiversity, in line with Environment Agency proposals for water quality improvements and Harrow's Biodiversity Action Plan. The works would also contribute to the objectives of Emerging Core Strategy Policy CS8(h), which seeks to improve flood management, biodiversity and public access along the Edgware Brook. The agreed contribution would be significant in relation to the overall cost of the proposals and it is considered that this contribution would overcome concerns raised by local residents and the GLA in relation to the provision of recreation space, whilst also providing a benefit to existing residents.

**5) Trees and New Development**

It is noted that the impact on trees with amenity value within the Jubilee Line embankment was a concern at appeal stage, although the Inspector concluded that the impact would be acceptable. As no amendments are proposed in relation to the siting or footprint of the crescent block, there would therefore be no additional impact on these trees.

**6) Traffic and Parking**

As the proposal would result in a reduction in the number of units, the associated vehicle and pedestrian activity would be expected to reduce. Accordingly, no further mitigation measures would be required in this regard. A new signalised junction on Honeypot Lane and a priority junction onto Whitchurch Lane were provided as part of the original proposal.

It is proposed to maintain the existing quantum of parking numbers as for the larger number of units. The parking ratio for this provision approximated to 0.9. If this ratio is now applied to the smaller scheme then there would be a theoretical reduction in parking numbers required equating to approximately 30 spaces. As the public transport accessibility is good with the proximity of Canons Park station and a plethora of bus routes available it is considered that a proportional reduction of parking provision would normally be appropriate and the comments of the GLA/TfL in this regard are noted. However, there is local concern from residents in the area regarding likely displacement of parking from the development into surrounding roads owing to the already low parking ratio.

Therefore, in this context it is considered appropriate to retain the quantum of parking as per the original permission in order to reduce the likelihood of displacement onto surrounding residential roads and the probability of injudicious parking from occurring within the site itself which would otherwise be of detriment to the overall design aims of the proposal. This philosophy is supported by the revised PPG 13 which discourages application of maximum parking standards.

Electric Vehicle Charging Points in line with London Plan standards i.e. 20% active and 20% passive provision in terms of overall provision should be provided and an appropriate condition is recommended. Secure cycle provision should be increased from the extant 213 units to 286 in order to satisfy the standard set out in The London Plan. There is ample storage space within the crescent block lower ground floor to achieve this and a plan has been submitted demonstrating this. A condition is recommended to ensure that the cycle storage is provided as per this plan. A Travel Plan should be developed and submitted under condition to secure necessary and relevant sustainable mode shift and a condition is recommended in this regard, as well as a Delivery and Servicing Plan.

The request by the GLA and the Council's Highways Engineer for a Construction and Logistics plan (CLP) is noted. However, this is an ongoing development, which is considered to be functioning well in construction logistics terms. The site has a separate construction entrance to the Parr Road industrial estate, so construction traffic is focussed towards the industrial areas and away from residential properties. Additional information in this regard is therefore considered to be unnecessary.

The proposed development would therefore have an accept highways and transport impact, in line with the requirements of PPG13 and saved UDP policies T6 and T13.

**7) Accessible Homes**

The levels within the scheme would create an inclusive environment and all units within the proposed scheme would be Lifetime Homes standards compliant, with 10% of units complying with Wheelchair Homes standards. A condition is recommended to ensure that the development is implemented in accordance with these plans, in line with the request from the GLA. It is therefore considered that the proposal would comply with the Council's SPD and policies 3.8 and 7.2 of The London Plan, thereby creating an inclusive environment for future occupiers.

**8) Housing Provision, Density and Affordable Housing**

Whilst the proposal would result in a reduction in the number of dwellings in the scheme, it is noted that the quality of housing provision would improve so this is supported. Concerns have been raised that the proposal would have an unacceptable density and an overdevelopment, by way of the increase in habitable room density as a result of the increase in larger flats. It is noted that the units per hectare density would decrease from 128 to 121, whilst the habitable room density would increase from 374.7 to 381.7. It is also noted that density was a matter of concern during the appeal and the consented and proposed schemes both exceed the density ranges set out in The London Plan. However, as the Inspector noted in allowing the earlier appeal in relation to the original scheme, the development makes efficient use of land for the provision of housing, utilising good design, and this has also been recognised as the development has progressed. Notwithstanding this, density is not in itself a reason to refuse planning permission and, given the conclusions on the other matters, it is considered that refusal on this ground would not be justified on the basis of a modest increase in habitable room density, given that the number of units would be reduced.

Concerns have also been raised that no additional affordable housing is proposed. However, the original scheme contributed over 40% of its housing as affordable and many of these units are occupied. This percentage would increase if the proposed revised mix were taken into account, so the objectives of Emerging Core Strategy policy CS1(j) would be exceeded. In the context of the overall redevelopment of the site, the obligation to provide affordable housing has already been met and it would be unreasonable to revisit this requirement in the context of amendments to the final phases of the scheme, particularly given the other benefits acknowledged above. The proposal would therefore comply with The London Plan in this regard.

**9) Sustainability**

An Energy Strategy has been submitted with the application, which concludes that the most viable renewable energy technology option is photovoltaic panels, which have been installed on the rest of the scheme. The GLA have raised a number of queries and a supplementary Energy Strategy has been submitted to respond to these under the energy hierarchy:

**1) Be Lean, Energy Efficiency Standards**

Active cooling would be avoided by ensuring that the masonry structure assists in moderating the internal temperature during the summer months, by incorporating glazing with a solar shading factor of 0.7 in addition to shading from balconies and by installing metal extract equipment to purge heat from the building.

**2) Be Clean, District Heating**

There are no viable district heating networks in the vicinity of the site, according to the map from the London Development Agency (LDA). The heating and domestic hot water for all the flats on the site will be generated by one of five main energy centres. Each main energy centre could be connected to an external district heating scheme in the future. Due to the nature of the phasing and differences in tenure, each phase has its own energy centre, as shown on the submitted schematic, which also shows the route of the heat network.

**3) Be Green, Renewable Energy**

A roof plan has been submitted showing the locations of the photovoltaic panels.

It is therefore considered that the queries raised by the GLA have been answered and the proposal would therefore contribute adequately to the mitigation of climate change, in line with the requirements of The London Plan.

**10) Ecology and Biodiversity**

A number of measures have been suggested by the Council's Biodiversity Officer to improve the scheme in ecological terms. It is considered that bird and bat boxes could be easily installed on the buildings and a condition is recommended requiring this. Conditions relating to landscaping are also recommended, in order to control the species and type of planting. It would be difficult to incorporate Sustainable Urban Drainage systems, given the constraints of the existing layout.

As noted above however, the proposed Stanmore Marsh improvement works would have benefits to biodiversity and the developer's significant contribution towards these works is welcomed. It is therefore considered that the proposed development would have a positive impact on biodiversity.

**11) Development and Flood Risk**

A Flood Risk Assessment (FRA) has been submitted in response to an objection by the Environment Agency (EA). The FRA is considered to be satisfactory and the EA have removed their objection. Conditions are imposed relating to surface water drainage and sewage disposal and the proposal would therefore be acceptable in this regard.

**12) S17 Crime & Disorder Act**

The proposed amendments to the scheme would not give rise to any additional concerns relating to secure by design considerations and the proposal is therefore considered to be acceptable in this regard.

**13) Amendments to S.106 Obligations**

In addition to the contribution towards open space improvements, a contribution towards the provision of education (£50,000) and healthcare (£12,600) is necessary. These figures were calculated on the basis of the increased child yield and demand for GP care. A commitment to the provision of local construction employment and training initiatives has also been agreed.

#### **14) Consultation Responses**

Apart from the points raised in the above sections, other issues raised are:

- *Not enough public services and infrastructure to cope with the new development:* Contributions have been agreed in relation to open space, education and healthcare. There is no evidence to suggest that local infrastructure would fail to cope, particularly given that this application proposes amendments to an existing scheme.
- *Impact on views from neighbouring properties:* It is noted that the protection of a private view is not a material planning consideration.
- *There are currently a number of empty properties in the development and the area and there is therefore no justification to build more:* It is considered that this would not be justification to refuse this proposal, which seeks to reduce the number of units on the site as a whole and improve the quality of housing.
- *The proposed increase in scale has been refused before:* There is no record of a similar proposal having been submitted since the original approval (ref P/2317/06). Earlier schemes for the site may have proposed taller buildings, but the principal consideration is the fallback position, i.e. the extant approval that is being implemented on site.
- *Concern over potential increase in crime rates:* There is no evidence to suggest that the current proposal would increase local crime rates.

#### **CONCLUSION**

In summary, the amendments proposed to the existing development would improve the standard of accommodation across the later phases of the scheme and, whilst the total number of units would be reduced, the proposal would increase the amount of family sized units within the development. The visual impact of the additional floors proposed would be acceptable in design and amenity terms and would not result in a significant adverse impact when viewed from outside the site. It is considered that the proposal complies with all relevant policies and the associated impacts that could arise from the development would be adequately ameliorated through the use of appropriate planning conditions as set out below and S.106 obligations, as set out at the beginning of this report.

#### **CONDITIONS**

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2 The development hereby permitted shall be carried out in accordance with the following approved plans: (PL)05; (PL)20; (PL)21; (PL)22; (PL)23; (PL)24; (PL)25; (PL)30; (PL)31; (PL)32; (PL)33; (PL)34; (PL)35; (PL)50; (PL)51; (PL)54; (PL)120; (PL)121; (PL)122; (PL)131; (PL)132; (PL)150; (SK)130-01; Design and Access Statement; Planning Statement; Transport Assessment Report; Daylight and Sunlight Report; Visual Impact Assessment; Ecological Assessment; Site Waste Management Plan; Flood Risk Assessment; Energy Strategy; Statement of Community Involvement.

REASON: For the avoidance of doubt and in the interests of proper planning.

3 No phase of the development hereby permitted shall commence until samples of the materials to be used in the construction of the external surfaces noted below for that phase have been submitted to, and approved in writing by, the local planning authority:

- a) the buildings,
- b) the ground surfacing,

The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the appearance of the locality, in line with the requirements of saved UDP policy D4.

4 The development hereby permitted shall not be occupied until a scheme for the provision of glazed privacy screens on the roof terraces of blocks PN, PQ, PS and PT have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the amenities of future residents, in line with the requirements of saved UDP policy D5.

5 The development hereby permitted shall not commence until there has been submitted to, and approved in writing by, the local planning authority, a scheme of hard and soft landscape works which shall include a survey of all existing trees and hedgerows on the land, indicating those to be retained and those to be lost. Details of those to be retained, together with measures for their protection in the course of the development, shall also be submitted and approved, and carried out in accordance with such approval, prior to any demolition or any other site works, and retained until the development is completed. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

REASON: To safeguard the appearance and character of the area, to enhance the appearance of the development and to safeguard the ecology and biodiversity of the area, in line with the requirements of saved UDP policies EP26, D9 and D10.

6 The plans and particulars submitted in accordance with the approval of landscaping condition shall include:

- (i) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75mm, showing which trees are to be retained and the crown spread of each retained tree;
- (ii) details of the species, diameter (measured in accordance with paragraph (i) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (iii) and (iv) below apply;
- (iii) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;
- (iv) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation within the crown spread of any retained tree or of any tree on land adjacent to the site;
- (v) details of the specification and position of fencing, and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development;

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, in line with the requirements of saved UDP policies D9 and D10.

7 The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

REASON: The existing trees represent an important amenity feature which the local planning authority considers should be protected, in line with the requirements of saved UDP policy D10.

8 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s), or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, in line with the requirements of saved UDP policy D9.

9 Before the hard surfacing hereby permitted is brought into use the surfacing shall EITHER be constructed from porous materials, for example, gravel, permeable block paving or porous asphalt, OR provision shall be made to direct run-off water from the hard surfacing to a permeable or porous area or surface within the curtilage of the site. Please note: guidance on permeable paving has now been published by the Environment Agency on

<http://www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens>.

REASON: To ensure that adequate and sustainable drainage facilities are provided, and to prevent any increased risk of flooding in line with the requirements of PPS25.

10 The development as detailed in the approved drawings shall be built to Lifetime Homes Standards and Wheelchair Standards and thereafter retained to those standards.

REASON: To ensure provisions of Lifetime/Home/Wheelchair Standard housing in accordance with policies 3.8 and 7.2 of The London Plan, saved UDP policy C16 and the Council's adopted Accessible Homes SPD.

11 The development hereby permitted shall not proceed above ground floor damp proof course level until details of biodiversity measures, specifically the creation of bird and bat habitats on the buildings, have been submitted and approved in writing by the local planning authority. The development shall not be occupied or used until those external works have been completed in accordance with the approved details. The works shall thereafter be retained.

REASON: To safeguard the ecology and biodiversity of the area and in the interests of habitat creation and enhancement in line with the requirements of saved UDP policies EP26 and EP28.

12 The additional cycle storage spaces within the crescent block, as shown on the submitted revised version of drawing (PL)30 shall be implemented as approved and thereafter retained.

REASON: To ensure adequate cycle parking provision, in line with the requirements of saved UDP policy T6 and policy 3.9 of the London Plan.

13 Before any part of the development hereby permitted is commenced, a scheme for the provision of 20% of the spaces related to this part of the development (within the multi-storey car park) with electric car charging points shall be submitted to and approved by the local planning authority. The scheme shall be implemented as approved prior to first occupation of these parking spaces.

REASON: To ensure adequate provision of electric car charging points, in line with the requirements of policy 6.13 of The London Plan.

13 The development hereby permitted shall not be occupied until a Travel Plan and Delivery Service Plan is submitted to the local planning authority for approval. The Plans shall be implemented as approved.

REASON: To ensure that occupiers are made aware of the travel options available and that premises are serviced adequately, in the interests of highway safety and to ensure compliance with saved UDP policies T6 and T13.

14 The construction of any building hereby permitted shall not commence until works for the disposal of sewage have been provided on site in accordance with details to be submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided in line with the requirements of PPS25.

15 The construction of any building hereby permitted shall not commence until works for the disposal of surface water have been provided on site in accordance with details to be submitted to, and approved in writing by, the local planning authority. The works shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided in line with the requirements of PPS25.

16 The construction of any building hereby permitted shall not commence until surface water attenuation / storage works have been provided in accordance with details to be submitted to, and approved in writing by, the local planning authority. The works shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To prevent the increased risk of flooding in line with the requirements of PPS25.

## **INFORMATIVES**

### **1 REASON FOR GRANT OF PLANNING PERMISSION**

The revised proposal would improve the standard of accommodation across the later phases of the scheme and, whilst the total number of units would be reduced, the proposal would increase the amount of family sized units within the development. The visual impact of the additional floors proposed would be acceptable in design and amenity terms and would not result in a significant adverse impact when viewed from outside the site. The application is therefore found to be consistent with the policies and proposals set out in National Planning Guidance, The London Plan (2011), the saved policies of the Harrow Unitary Development Plan (2004) and the Emerging Core Strategy set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report. It is considered that the proposal complies with all relevant policies and the associated impacts that could arise from the development would be adequately ameliorated through the use of appropriate planning conditions and S.106 obligations. The development therefore does not have any significant visual, transport, amenity or other impact that would warrant refusal of planning permission.

The following policies in the London Plan and-or the Harrow Unitary Development Plan are relevant to this decision:

National Policy: PPS, PPS3, PPS9, PPG13, PPG17, PPS25

The London Plan (2011): 3.5, 3.6, 3.8, 3.11, 3.12, 5.2, 5.3, 5.6, 5.7, 6.3, 6.13, 7.2, 7.4, 7.6, 7.19, 7.21

Interim London Housing Design Guide (2011)

Supplementary Planning Guidance: Providing for Children and Young People's Play and Informal Recreation (2008)

Emerging Core Strategy (2011): CS1, CS8

London Borough of Harrow Unitary Development Plan (2004): EP12, EP20, EP25, EP26, EP27, EP28, EP47, EP48, D4, D5, D9, T6, T13, C16

Supplementary Planning Document: Sustainable Building Design (2009)

Supplementary Planning Document: Accessible Homes (2010)

Supplementary Planning Document: Residential Design Guide (2010)

### **2 PARTY WALL ACT**

The Party Wall etc. Act 1996 requires a building owner to notify and obtain formal agreement from adjoining owner(s) where the building owner intends to carry out building work which involves:

1. work on an existing wall shared with another property;
  2. building on the boundary with a neighbouring property;
  3. excavating near a neighbouring building,
- and that work falls within the scope of the Act.

Procedures under this Act are quite separate from the need for planning permission or building regulations approval.

"The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from: Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/133214.pdf>

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: [communities@twoten.com](mailto:communities@twoten.com)

### 3 CONSIDERATE CONTRACTOR CODE OF PRACTICE

The applicant's attention is drawn to the requirements in the attached Considerate Contractor Code of Practice, in the interests of minimising any adverse effects arising from building operations, and in particular the limitations on hours of working.

### 4 COMPLIANCE WITH PLANNING CONDITIONS

**IMPORTANT:** Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences

- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.

- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.

- Beginning development in breach of a planning condition will invalidate your planning permission.

- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

Plan Nos: (PL)05; (PL)20; (PL)21; (PL)22; (PL)23; (PL)24; (PL)25; (PL)30; (PL)31; (PL)32; (PL)33; (PL)34; (PL)35; (PL)50; (PL)51; (PL)54; (PL)120; (PL)121; (PL)122; (PL)131; (PL)132; (PL)150; (SK)130-01; Design and Access Statement; Planning Statement; Transport Assessment Report; Daylight and Sunlight Report; Visual Impact Assessment; Ecological Assessment; Site Waste Management Plan; Flood Risk Assessment; Energy Strategy; Statement of Community Involvement.

## SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

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**Item: 2/01**  
**NEWTON PARK EAST ALLOTMENTS, ALEXANDRA AVENUE, HARROW, HA2 9PN** **P/1793/11**  
Ward: ROXBOURNE  
RETROSPECTIVE APPLICATION FOR FIVE SINGLE STOREY BUILDINGS AND USE OF THE SITE FOR THE PURPOSES OF EDUCATION (HORTICULTURAL TRAINING) (USE CLASS D1)

**Applicant:** Harrow Council  
**Agent:** Harrow Council Corporate Estates  
**Case Officer:** Gerard Livett  
**Statutory Expiry Date:** | 13-SEP-11

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### **Legal Comments:**

Regulation 3 of the Town and Country Planning General Regulations 1992 (Statutory Instrument 1992/1492) provides (in relevant part) that applications for planning permission by an interested planning authority to develop any land of that authority shall be determined by the authority concerned, unless the application is called in by the Secretary of State under section 77 of the Town and Country Planning Act 1990 for determination by him. The application is made by LB Harrow [Corporate Estates] who has carried out the development and the land at Newton Park East Allotments is owned by LB Harrow.

The GRANT of planning permission for this development falling within regulation 3 shall enure only for the benefit of the LB Harrow.

### **RECOMMENDATION**

**GRANT** planning permission for the development described in the application and submitted plans, subject to conditions

### **REASON:**

The decision to GRANT planning permission has been taken as the proposal would provide a community and educational facility that would be of benefit to the residents of Harrow and would promote biodiversity, and having regard to the policies and proposals of the London Plan 2011 and the policies of the emerging Harrow Core Strategy Development Plan Document 2011-2026, saved policies of the Harrow Unitary Development Plan set out below, and to all relevant material considerations, as outlined in the application report:

Draft National Planning Policy Framework (2011)

Planning Policy Statement 1 – Delivering Sustainable Development (2005)

Emerging Harrow Core Strategy (2011-2026)

The London Plan (2011):

3.18 – Education facilities

5.10 – Urban Greening

7.3 – Designing out crime

7.19 Biodiversity and access to nature

Harrow Unitary Development Plan:

D4 – The Standard of Design and Layout

EP26 – Habitat Creation and Enhancement

EP28 – Conserving and Enhancing Biodiversity

EP44 – Metropolitan Open Land

EP45 – Additional Building on Metropolitan Open Land

EP49 – Allotments

T6 – The Transport Impact of Development Proposals

C7 – New education facilities

C16 – Access to Buildings and Public Spaces

C17 – Access to Leisure, Recreation, Community and Retail Facilities

Supplementary Planning Document, Access for All (2006)

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**MAIN CONSIDERATIONS AND POLICIES (The London Plan 2011, Draft Harrow Core Strategy Development Plan Document (2011), Saved Policies in the Harrow Unitary Development Plan 2004 and any other relevant guidance)**

- 1) Principle of Development and Character and Appearance of the Area (3.18, 5.10, 7.19, D4, EP26, EP28, EP44, EP45, EP49, C7, C16, C17, SPD)
- 2) Residential Amenity (D4)
- 3) Parking and Highway Safety (6.13, T6, T13)
- 4) S17 Crime & Disorder Act (7.3, D4)
- 5) Consultation Responses

**INFORMATION**

This application is referred to the planning committee as the development is for the change of use of a site with an area of 0.27ha, which exceeds the threshold of category 1(h) of the Scheme of Delegation.

**a) Summary**

Statutory Return Type:	Change of Use
Site Area	0.27 ha
Council Interest:	Council owned site

**b) Site Description**

- The application site is a roughly trapezoid area of land at the eastern end of the Allotment Gardens located between Alexandra Avenue (to the west) and Rayners Lane (to the east). To the south of the site is the Roxbourne stream and Newton Farm Ecology Park. To the north, most of the site adjoins the Football ground associated with Tithe Farm Social Club, but the site also shares a boundary with the rear garden of No. 68 Lucas Avenue.
- The site is fenced on its northern, southern and eastern boundaries. The western boundary is unfenced but opens into the allotment gardens.
- The whole site, including the allotments, ecology park and football ground is Metropolitan Open Land, and the Ecology Park to the south is a Site of Importance for Nature conservation.

- The application site contains a number of buildings and structures. These are:
  1. A single-storey timber clad classroom style building measuring 10.6m x 6m with a 2.9m high pitched roof at the eastern edge of the site
  2. A breeze block store, measuring 3.57m wide, 9.1m deep and 2.6m high at the eastern edge of the site
  3. A steel container measuring 2.4m wide, 6.1m deep and 2.6m high at the eastern edge of the site
  4. A polytunnel measuring 20m long, 7.6m wide and 3.14m high in the centre of the site
  5. A breeze block building measuring 4.96m wide, 3.84m deep and 2.7m high near the northwest corner of the site
  6. A triangular car parking area measuring 65 sq.m. at the south-eastern part of the site

**c) Proposal Details**

- The application proposes the retention of the five buildings noted in the site description above and the use of the site for horticultural training

**d) Relevant History**

LBH/30930

Shed

GRANTED  
16-OCT-86

**e) Pre-Application Discussion**

- None

**f) Applicant Statement**

- Application would regularise the use of the site as a project for horticultural training for adults with learning difficulties.

**g) Consultations**

**Notifications:**

Sent : 29

Replies : 0

Expiry: 11-NOV-11

Neighbours consulted:

Lucas Avenue: 60-68 (even)

Rayners Lane: 85, 87, 96-110 (even), 151

Priest Park Avenue: 47-65 (odd)

**Summary of Responses:**

- N/A

## **APPRAISAL**

### **Draft National Planning Policy Framework**

The Government has issued a Draft National Planning Policy Framework [NPPF] that consolidates national planning policy. This has been considered in relation to this application, but it carries limited weight at this stage of the consultation process as it is in draft form and subject to change. Existing national planning policy remains and carries substantial weight and the NPPF does not propose any change in existing national policy relative to the issues of this application.

### **Emerging Core Strategy**

The binding Inspectors report following the Examination in Public of the draft Harrow Core Strategy was received on 13 December 2011. This report found that the Core Strategy is sound. The emerging Core Strategy now carries significant weight and is a material consideration in all planning decisions by the Council.

Although the Core Strategy forms a material consideration, the saved policies of the Harrow Unitary Development Plan referred to in the officers report remain in force. The application will be assessed having regard to the relevant London Plan policies, the emerging Core Strategy and the relevant saved policies of the UDP.

#### **1) Principle of Development and Character and Appearance of the Area**

The use of this site for horticultural training by Harrow College ceased on 19 July 2010.

Although the site is owned by the Council, the management of the horticultural training has been taken over by the Shaw Trust, a national charity.

The use of the site for horticultural training is similar to the use as allotment gardens and is considered to be consistent with saved policy EP49 of the UDP. This policy notes that where part or all of an allotment site is identified as surplus to requirements, then preference will be given to another open space use. The use is also considered to be appropriate for Metropolitan Open Land and is consistent with saved policy EP44 of the UDP.

The use for horticultural training would also provide an educational facility consistent with saved policy C7 of the UDP.

The retention of the buildings on the site is considered acceptable as they are appropriate structures for the use and their appearance is consistent with the open character of the site.

#### **2) Residential Amenity**

The site is sufficiently far from the habitable windows of neighbouring dwellings that there would be minimal noise disturbance to the occupiers of those dwellings.

A condition restricting the hours of operation is recommended to prevent activity at the site at unsocial hours to minimise the impact of potential evening and late night noise and disturbance.

**3) Parking and Highway Safety**

The site contains a parking area adequate for one car and one bus. This is considered appropriate for the use of the site.

In addition to this, there is a parking area a short distance to the east of the site accessed from Rayners Lane.

It is considered that the proposal would have no impact with respect to highway safety.

**4) S17 Crime & Disorder Act**

The site has a steel fence around three sides, although the fourth opens directly onto the Newton Park Allotments. However, the allotments themselves have a similar fence. Access at the Rayners Lane end of the application site and the wider allotment gardens is through locked gates.

The buildings have secure locks, and the main building on the site also has window shutters to deter burglars.

It is therefore considered that the proposal would have no impact with respect to crime and disorder in the area.

**5) Consultation Responses**

- N/A

**CONCLUSION**

The proposal would provide a community and educational facility that would be of benefit to the residents of Harrow and would promote biodiversity, and having regard to the policies and proposals of the London Plan 2011 and the policies of the draft Harrow Core Strategy Development Plan Document 2011, saved policies of the Harrow Unitary Development Plan set out below, and to all relevant material considerations, as outlined in the application report, this application is recommended for grant.

**CONDITIONS**

1 The premises shall be used for the purpose specified in the application (horticultural training) and for no other purpose, including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that order with or without modification).

REASON: To safeguard the use of the site as an ecology park and education facility, as required by policies 3.18, 5.10 and 7.19 of The London Plan (2011) and saved policies D4, EP26, EP28, EP44, EP49 and C7 of the Harrow Unitary Development Plan (2004).

2 The use hereby permitted shall not be open to members of the public outside the following times:-

a: 08:00 hours to 18:00 hours, Monday to Saturday inclusive,

b: 09:30 hours to 16:30 hours on Sundays and Bank Holidays,

without the prior written permission of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents, as required by saved policy D4 of the Harrow Unitary Development Plan (2004).

3 The development shall be retained in accordance with the following approved plans and documents:

10168 Issue G; S6193 (elevations); S6192 (floor plans); Unnumbered drawing indicating position of buildings, polytunnel and car parking area; Unnumbered plan and elevations of polytunnel; Unnumbered plan and elevations of Building 2 – Breeze Block Store; Unnumbered plan and elevations of Building 3 – Container; Unnumbered plan and elevations of Building 5 – Breeze Block Store.

REASON: For the avoidance of doubt and in the interests of good planning.

## **INFORMATIVES**

### **1 INFORMATIVE**

#### **SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:**

The decision to GRANT planning permission has been taken as the proposal would provide a community and educational facility that would be of benefit to the residents of Harrow and would promote biodiversity, and having regard to the policies and proposals of the London Plan (2011) and the policies of the emerging Harrow Core Strategy (2011), saved policies of the Harrow Unitary Development Plan (2004) set out below, and to all relevant material considerations, as outlined in the application report:

Draft National Planning Policy Framework (2011)

Planning Policy Statement 1 – Delivering Sustainable Development (2005)

Emerging Harrow Core Strategy (2011-2026)

The London Plan (2011):

3.18 – Education facilities

5.10 – Urban Greening

7.3 – Designing out crime

7.19 Biodiversity and access to nature

Harrow Unitary Development Plan:

D4 – The Standard of Design and Layout

EP26 – Habitat Creation and Enhancement

EP28 – Conserving and Enhancing Biodiversity

EP44 – Metropolitan Open Land

EP45 – Additional Building on Metropolitan Open Land

EP49 – Allotments

T6 – The Transport Impact of Development Proposals

C7 – New education facilities

C16 – Access to Buildings and Public Spaces

C17 – Access to Leisure, Recreation, Community and Retail Facilities

Supplementary Planning Document, Access for All (2006)

Plan Nos: 10168 Issue G; S6193 (elevations); S6192 (floor plans); Unnumbered drawing indicating position of buildings, polytunnel and car parking area; Unnumbered plan and elevations of polytunnel; Unnumbered plan and elevations of Building 2 – Breeze Block Store; Unnumbered plan and elevations of Building 3 – Container; Unnumbered plan and elevations of Building 5 – Breeze Block Store

39 KINGSFIELD AVENUE, HARROW, HA2 P/2841/11  
6AQ

Ward: HEADSTONE SOUTH

EXTENSION OF TIME TO PLANNING PERMISSION P/2826/08 DATED 17/10/2008 FOR CONVERSION OF DWELLINGHOUSE TO TWO FLATS; SINGLE/TWO STOREY SIDE TO REAR & SINGLE STOREY FRONT EXTENSIONS; REAR DORMER WITH JULIET BALCONY; EXTERNAL ALTERATIONS (RESIDENT PERMIT RESTRICTED)

**Applicant:** Mr Wayne Mertins-Brown

**Case Officer:** Gerard Livett

**Statutory Expiry Date:** | 19-DEC-11

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## RECOMMENDATION

**GRANT** planning permission for the development described in the application and submitted plans, subject to conditions.

## REASON:

The decision to GRANT planning permission has been taken as the proposal would provide a good standard of accommodation that would not be detrimental to the character and appearance of the area or the residential amenities of neighbouring occupiers, and having regard to the policies and proposals of the London Plan 2011, the emerging Core Strategy and the saved policies of the Harrow Unitary Development Plan together with the associated Supplementary Planning Documents set out below, and to all relevant material considerations, as outlined in the application report:

Draft National Planning Policy Framework (2011)

Planning Policy Statement 1 – Delivering Sustainable Development (2005)

Planning Policy Statement 3 – Housing (2011)

The London Plan:

3.3B – Increasing housing supply

3.5B/C – Quality and Design of Housing Developments

3.8B – Housing Choice

7.3B – Designing out crime

7.4B – Local character

7.6B – Architecture

Emerging Harrow Core Strategy (2011-2026)

Harrow Unitary Development Plan:

D4 – The Standard of Design and Layout

D5 – Residential Amenity

D9 – Forecourt Greenery and Streetside Greenness

T6 – The Transport Impact of Development Proposals

T13 – Parking Standards

C16 – Access to Buildings and Public Spaces

Supplementary Planning Document, Residential Design Guide (2010)

Supplementary Planning Document, Accessible Homes (2010)

**MAIN CONSIDERATIONS AND POLICIES (The London Plan 2011, Saved Policies in the Harrow Unitary Development Plan 2004 and any other relevant guidance)**

- 1) Principle of Development (PPS1, PPS3, 3.3B, D4, D5)
- 2) Character and Appearance of the Area (7.4B, 7.6B, D4, D9, SPD)
- 3) Residential Amenity, including Lifetime Homes (3.5B/C, 3.8B, 7.6B, D4, D5, C16, SPD)
- 4) Parking and Highway Safety (T6, T13)
- 5) S17 Crime & Disorder Act (7.3B, D4)
- 6) Consultation Responses

**INFORMATION**

This application is referred to the planning committee as the proposal is for the extension of time of a planning permission that was not granted under delegated authority, and therefore is outwith category 17 of the Scheme of Delegation.

**a) Summary**

Statutory Return Type:	Minor Dwellings
Lifetime Homes	Provided
Wheelchair Homes	
Council Interest:	None

**b) Site Description**

- Property is a two-storey semi-detached house on the south side of Kingsfield Avenue
- Property has not previously been extended
- Property has a 6m deep front garden and a 28m deep rear garden

**c) Proposal Details**

- Extension of time of planning permission P/2826/08/DFU dated 17-Oct-2008.
- The original proposal allowed for:
- Two-storey side to rear extension; first floor element would be set back from the front elevation by 1m. Two-storey rear extension would be 3m deep and 4m wide and would be set 5m from shared boundary with No. 41 Kingsfield Avenue and 0.9m from boundary with neighbouring unattached dwelling, No. 37 Kingsfield Avenue. The side extension would have a subordinate roof, and the two-storey rear extension would have a gabled roof.
- Rear dormer, set 0.7m from party wall, m from roof verge and 1m from eaves (measured along the roof slope).
- Single-storey front extension linked to two-storey side to rear extension, incorporating front porch. Extension would project 1.2m beyond front building line and would be separated from the bay window by approximately 0.25m.
- Conversion of extended property into two self-contained flats: One two-bedroom flat on the ground floor and one three-bedroom maisonette on the first floor and loft space.
- Rear garden would be divided between the two flats.
- One parking space would be provided in the front garden.
- Refuse storage in rear garden.

**d) Relevant History**

P/2826/08/DFU	Conversion of dwellinghouse to two flats; single/two storey side to rear & single storey front extensions; rear dormer with Juliet balcony; external alterations	GRANTED 17-OCT-08
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**e) Pre-Application Discussion**

- None

**f) Applicant Statement**

- Hardstanding at the front would be retained; extensions would match existing dwelling

**g) Consultations**

**Headstone Residents' Association:** No response received

**Highways Engineer:** Residents permit restriction should be conditioned

**Notifications:**

Sent : 10

Replies : 0

Expiry: 17-NOV-11

Neighbours consulted:

Kingsfield Avenue: 33-45 odd (excluding 39); 24, 26

Canterbury Road: 77, 79

**Summary of Responses:**

- N/A

## **APPRAISAL**

### **Draft National Planning Policy Framework**

The Government has issued a Draft National Planning Policy Framework [NPPF] that consolidates national planning policy. This has been considered in relation to this application, but it carries limited weight at this stage as it is in draft form and subject to change. Existing national planning policy remains and carries substantial weight and the NPPF does not propose any change in existing national policy relative to the issues of this application.

### **Emerging Harrow Core Strategy**

The binding Inspectors report following the Examination in Public of the draft Harrow Core Strategy was received on 13 December 2011. This report found that the Core Strategy is sound. The emerging Core Strategy now carries significant weight and is a material consideration in all planning decisions by the Council.

Although the emerging Core Strategy forms a material consideration, the saved policies of the Harrow Unitary Development Plan referred to in the officer's report remain in force. The application will be assessed having regard to the relevant London Plan policies, the emerging Core Strategy and the relevant saved policies of the UDP.

**1) Principle of Development**

Applications for the extension of the time limits for implementing planning permission were brought into force on 01/10/09 within the legislative context of the Town and Country Planning (General Development Procedure) (Amendment No. 3) (England) Order 2009.

The measure was introduced to allow planning permission to remain alive longer to allow implementation of granted schemes as economic conditions improve. No primary legislation has been altered and as such all such legislation which applies to ordinary planning applications, apply to extension of time limits.

There have been three material changes to the planning considerations at this site since the previous application. The first is that the Council has received the binding Inspector's Report on the draft Harrow Core Strategy. The second is that the London Plan (2008) has been replaced with The London Plan (2011). The third is that the Council has adopted, in 2010, a revised Accessible Homes Supplementary Planning Document and Supplementary Planning Document: Residential Design Guide.

The principle of the development of the site has been considered acceptable with the planning application granted on 17 October 2008. The above changes to national, regional and local policies do not alter this earlier conclusion with regard to the principle of development proposed.

**2) Character and Appearance of the Area**

Kingsfield Avenue is characterised by two-storey semi-detached dwellings.

The proposed extensions would be typical forms of householder extensions that would comply with the requirements of the Supplementary Planning Document: Residential Design Guide and would not be detrimental to the character or appearance of the area.

The proposed conversion of the property into two flats would retain a single front door, thereby maintaining the appearance of a traditional dwelling in the streetscene.

It is considered that the proposed conversion of the property into two self-contained flats would not result in an excessive level of activity at the site and is appropriate in this location.

The bins for both flats would be stored at the rear of the property, which would not introduce additional visual clutter in the street scene.

Subject to a suitable landscaping scheme being implemented in the front garden, this would enhance the level of forecourt greenery at this property, as required by saved policy D9 of the Unitary Development Plan.

**3) Residential Amenity, including Lifetime Homes**

The proposed conversion of the property into two flats would result in one two-bedroom flat on the ground floor and a three-bedroom maisonette on the first floor and the roof space.

The ground floor flat would have a gross internal area of approximately 80 square metres, and the upper maisonette would have a gross internal area of approximately 90 square metres, which is considered acceptable and exceed the requirements outlined in policy 3.5 of The London Plan (2011).

The proposed room sizes of these flats would be adequate for dwellings of these sizes. The layouts would have similar room uses arranged vertically to help reduce noise transmission between the flats.

The Council now requires all flats to comply with the minimum standards of Lifetime Homes as set out in the adopted SPD "Accessible Homes", and for all ground floor flats to comply with Wheelchair Home standards.

In this particular instance there is a dedicated car parking space capable of enlargement to the Lifetime Homes standard available in the front garden, and the layout of the ground floor flat would meet the requirements of Wheelchair Homes. The upper flat has room sizes and arrangements, circulation areas and door widths sufficient to comply with the requirements of Lifetime Homes. The proposal would therefore comply with the requirements of the Accessible Homes SPD and is considered acceptable in this case.

The property has a 28m deep rear garden, which would be divided between the two flats. This level of amenity space is considered adequate for the proposed flats.

The proposed extensions, including the single-storey front extension and two-storey side to rear extension, would comply with the requirements of the Supplementary Planning Guidance on householder extensions. The side extension would be subordinate to the main dwelling and would allow for a 900mm wide passage at the side of the property to allow access to the rear garden and refuse storage area. Because of the siting and orientation of the property with respect to neighbouring properties, the two-storey rear extension would comply with the 45° code with respect to both the attached neighbouring property (No. 41 Kingsfield Avenue) and the unattached neighbour (No. 37 Kingsfield Avenue), the rear main wall of which is set approximately 4m from the shared boundary.

**4) Parking and Highway Safety**

Although the Highways Engineers would have preferred two off-street parking spaces with the original application, for this property, that would have resulted in an excessive amount of hardstanding being retained at the front of the property, which would be contrary to the aims of saved policy D9 of the UDP, which seeks to enhance levels of streetside greenery when conversions are carried out.

Although the proposal could increase levels of parking stress in the area, policy considerations have not altered materially to increase the force of such an argument. In this case, a balance between off-street parking and landscaping is being provided which is considered to achieve the broader objectives of the development plan. A condition requiring arrangements to be in place to prevent occupiers of the property from obtaining residents' parking permits will be required.

**5) S17 Crime & Disorder Act**

The proposal would have no impact with respect to crime and disorder in the area.

**6) Consultation Responses**

- N/A

**CONCLUSION**

Officers consider that in this case, notwithstanding the emergence of new policy since the grant of planning permission in 2008, the proposals remain acceptable.

The conversion would provide a good standard of accommodation that would not be detrimental to the character and appearance of the area or the residential amenities of neighbouring occupiers. Having regard to the policies and proposals of the London Plan 2011, the emerging Core Strategy and the saved policies of the Harrow Unitary Development Plan together with the associated Supplementary Planning Documents set out below, and to all relevant material considerations, as outlined in the application report, this application can be recommended for approval.

**CONDITIONS**

1 The development hereby permitted shall be begun before 17 October 2014.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

CS/MB/01 Rev A; CS/MC/02 Rev A; CS/MB/03; CS/MB/04 Rev A; CS/MB/05; Design and Access Statement

REASON: For the avoidance of doubt and in the interests of proper planning.

3 The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

REASON: To safeguard the appearance of the locality, as required by saved policy D4 of the Harrow Unitary Development Plan (2004).

4 The development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works for the forecourt of the site.

Hard Landscape works shall include details of permeable materials for the hard surface of the forecourt.

Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

The hard landscaping works shall be implemented prior to first occupation of the development hereby permitted and thereafter retained,

All planting, seeding or turfing comprised in the approved details of soft landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s), or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, as required by saved policies D4 and D9 of the Harrow Unitary Development Plan (2004).

5 The refuse bins shall be stored at all times, other than on collection days, in the designated refuse storage area, as shown on the approved drawing.

REASON: To safeguard the appearance of the locality, as required by saved policy D4 of the Harrow Unitary Development Plan (2004).

6 Before the development hereby permitted is occupied, arrangements shall be agreed in writing with the local planning authority and be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within the Controlled Parking Zone.

REASON: To ensure that the scheme adequately addresses the landscaping and sustainability requirements of saved policies T13, D4 and D9 of the Harrow Unitary Development Plan (2004).

## **INFORMATIVES**

### **1 INFORMATIVE**

#### **SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:**

The decision to GRANT planning permission has been taken as the proposal would provide a good standard of accommodation that would not be detrimental to the character and appearance of the area or the residential amenities of neighbouring occupiers, and having regard to the policies and proposals of the London Plan 2011, the emerging Core Strategy and the saved policies of the Harrow Unitary Development Plan together with the associated Supplementary Planning Documents set out below, and to all relevant material considerations, as outlined in the application report:

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T13 – Parking Standards

C16 – Access to Buildings and Public Spaces

Supplementary Planning Document, Residential Design Guide (2010)

Supplementary Planning Document, Accessible Homes (2010)

2 INFORMATIVE

CONSIDERATE CONTRACTOR CODE OF PRACTICE

The applicant's attention is drawn to the requirements in the attached Considerate Contractor Code of Practice, in the interests of minimising any adverse effects arising from building operations, and in particular the limitations on hours of working.

3 INFORMATIVE

THE PARTY WALL ETC. ACT

The Party Wall etc. Act 1996 requires a building owner to notify and obtain formal agreement from adjoining owner(s) where the building owner intends to carry out building work which involves:

1. work on an existing wall shared with another property;
  2. building on the boundary with a neighbouring property;
  3. excavating near a neighbouring building,
- and that work falls within the scope of the Act.

Procedures under this Act are quite separate from the need for planning permission or building regulations approval.

“The Party Wall etc. Act 1996: Explanatory booklet” is available free of charge from: Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB

Please quote **Product code:** 02 BR 00862 when ordering

Also available for download from the CLG website:

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/133214.pdf>

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: [communities@twoten.com](mailto:communities@twoten.com)

4 INFORMATIVE

RESIDENTS' PARKING PERMITS

The relevant traffic order will impose a restriction making residential occupiers of this building ineligible for resident's parking permits in the surrounding controlled parking zone.

Plan Nos: CS/MB/01 Rev A; CS/MB/02 Rev A; CS/MB/03; CS/MB/04 Rev A;  
CS/MB/05; Design and Access Statement

**SECTION 3 - OTHER APPLICATIONS RECOMMENDED FOR REFUSAL**

None.

**SECTION 4 - CONSULTATIONS FROM NEIGHBOURING AUTHORITIES**

None.

**SECTION 5 - PRIOR APPROVAL APPLICATIONS**

None.